



## COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

June 3, 2003

### TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) PROGRAM

TANF Transmittal 22

This transmittal contains changes related to Temporary Assistance for Needy Families (TANF) Program eligibility and the Virginia Initiative for Employment not Welfare (VIEW) Program resulting from the 2002 Virginia Acts of Assembly mandates and policy simplification. This transmittal is effective July 1, 2003. The revisions are listed below, followed by a discussion of the changes by topic:

- Table of Contents
- Sixty-Month Time Limit
- Verifying Social Security Numbers
- Disregarded Vehicles
- Hold Harmless Payments
- Interest Payments Less Than \$10 a Month
- Contributions in Kind
- Veterans Benefit Disregard
- Self-Employment Expenses
- Individual Development Accounts
- Ricky Ray Hemophilia Act Payments
- Workforce Investment Act (WIA)
- TANF Match Payments
- Remainder Interest Table
- Reporting Requirements
- VIEW Forms
- Supportive Services
- Expiration of Transitional Medicaid
- Index

- A. Table of Contents - Page 2 of the Table of Contents has been revised to reletter items under 201.1. Page 4 of the Table of Contents has been revised to include a new section on TANF Match Payments. Page 5 of the Table of Contents reflects the new Interim Reporting Requirement.

When the TANF Manual was posted online, tables of contents were added to Chapters 100 – 900, and the Procedures Section Introduction was updated. These pages are included in this transmittal to match the online version of the TANF Manual.

- B. 60-Month Time Limit – Policy requires that TANF assistance received while residing in another state be counted when determining the number of months remaining on an individual’s federal 60-month clock. Section 201.1, page 3a, clarifies what information should be requested when contacting another state to obtain this information. The information received must then be recorded in ADAPT. This section also clarifies which months to count when responding to a request from another state concerning months of TANF received while in Virginia.
- C. Verifying Social Security Numbers – Policy at 201.8, pages 1 and 1b, revises the verification policy for Social Security numbers. Agencies must verify the number through SVES instead of IEVS.
- D. Disregarded Vehicles – Policy at Sections 303.2. B, page 1a, 303.6. Z, page 7, and Procedures Section V, page 2, have been amended to allow for program simplification. Assistance units may have one vehicle that is totally disregarded in the eligibility determination. Additional vehicles must be evaluated for equity exceeding \$1,500 or Fair Market Value exceeding \$7,500, as appropriate. The last two paragraphs on 303.3, page 1d, have been deleted in light of how policy now requires additional vehicles to be evaluated.
- E. Hold Harmless Payments – Hold harmless policy will expire August 31, 2003. All TANF assistance units who have current support greater than \$50 paid to the Division of Child Support Enforcement will receive a TANF Match Payment, removing the necessity for a hold harmless payment. An expiration date of August 31, 2003, has been assigned to this policy. The expiration date has been added to Sections 304.1, page 1a; 502.1, page 1; and Procedures Section VI, page 1.
- F. Interest Payments Less Than \$10 a Month – Sections 305.4.A.42, page 24b, 305.4.G.6, page 44, and Procedures Section VII, page 10, have been amended for program simplification. Interest received in a month of less than \$10 is disregarded.
- G. Contributions in Kind – Policy at Section 602.3.B and D, page 2, have been revised to remove two references: 305.4.E and 305.4.H, that were not removed when Contributions in Kind policy was deleted in Transmittal 21.

- H. Veterans Benefit Disregard – In Sections 303.6.CC, page 7, and 305.4.A.44, page 24b, a disregard has been added regarding veterans benefits for children born with spina bifida. These children are natural children of individuals who served in Vietnam during the period beginning January 9, 1962, and ending May 7, 1975. This income is to be exempted in ADAPT as other unearned income.
- I. Self-Employment Expenses – In Section 305.3, page 14, items A. 2 a) and b) have been deleted to bring TANF policy in line with Food Stamp self-employment policy. Payments on the principal of, and loans for, capital assets as well as the principal and interest on loans for capital improvements of real property are now allowable as a business expense.
- J. Individual Development Accounts – Policy in Sections 303.3.J, page 1c, and 305.4.G.6, page 44, have been revised as a result of amendments to the Assets for Independence Act (AFIA). Funds deposited in AFIA accounts and interest accrued must now be disregarded in determining eligibility and benefit amount.
- K. Ricky Ray Hemophilia Relief Fund Payments - The Ricky Ray Hemophilia Relief Act of 1998 established a fund from which one-time payments of \$100,000 are made to individuals who acquired an HIV infection through perinatal transmission from a parent and has any form of blood-clotting disorder, such as hemophilia, any time between July 1, 1982, and December 31, 1987. If the individual is deceased, the payment may be made to a relative of the individual. The payments, which are disbursed by the Secretary of Health and Human Services, must not be included as income or resources for purposes of determining eligibility to receive TANF. This change has been added in Sections 303.6.BB, page 7, and 305.4.A.45, page 24b. This income is to be exempted in ADAPT as other unearned income.
- L. Workforce Investment Act (WIA) – In Sections 303.6.DD, page 7a, and 305.4.A.46, page 24b, policy has been added that allowances, earnings, and payments received by individuals participating in programs under Title I of the WIA are not considered as income for purposes of determining eligibility for and the amount of TANF.
- M. TANF Match Payments – Effective July 1, 2003, the State Department of Social Services must provide to recipients of TANF cash assistance a monthly TANF supplement in an amount equal to the current child support collected by the Division of Child Support Enforcement, less the \$50 disregard payment. The TANF child support supplement will be paid two months following collection of the child support payment(s) used to determine the amount of the supplement. September 2003 will be the first month the supplement will be paid. TANF supplements for child support collected will be combined with recipients' monthly TANF payments and issued in one check.

Policy regarding TANF Match Payments is contained in Sections:

303.6, page 7; 304.4, page 2; 305.4, page 24b;  
 305.4, page 39 – 42; Section 305, Appendix 3, page 2;  
 401.4, page 7a; 401.4, page 9; 401.5, page 13, item v;  
 502.1.A, page 1; 502.5.A.4, 4a; 503.7, page 2c;  
 602.1, page 1; 602.5, A., pages 4 -5; 901.7, page 8;  
 Chapter 900, Appendix 1, page 1; Chapter 900, Appendix 2, page 1; and  
 Chapter 1000, page 35.

In 602.5.A, page 4, a reference to disbursements of excess support collected has been deleted, as the Division of Child Support Enforcement no longer makes these payments.

- N. Remainder Interest Table – Policy at Section 303, Appendix 1, page 2, corrects the remainder interest amount for age 48.
- O. Reporting Requirements – Effective July 1, 2003, the Food Stamp Program will implement a federal option that simplifies reporting requirements. As a part of the Department's efforts to align program policies, the changes made to reporting requirements and renewal periods in food stamps have also been made in TANF. Under the option, assistance units must report only a change of address and if income exceeds gross income limits. Procedures remain in effect for local agency actions to reflect a change regardless of whether or not the change was required to be reported.

TANF recipients will be assigned year long certification/renewal periods with completion of an Interim Report Form required in the sixth month in order for the local agency to determine eligibility for the remainder of the renewal period. The new renewal time frames will be phased in as applications are approved and cases renewed on or after July 1, 2003, but no later than December 31, 2003. Interim Report forms will be mailed from the State Department of Social Services beginning in November 2003. If the Interim Report Form is not returned or is not returned timely, the local agency must follow-up using the Interim Report – Request for Action Form to follow-up. Local agencies will be notified when these forms are available.

Certain groups of recipients are exempted from the reporting requirements, including the elderly (age 60 or over), disabled, homeless, and migrants. A field has been added to the AEREDT screen in ADAPT that will identify cases subject to interim reporting. Policy changes related to reporting requirements are in Sections 305.1.D and F, pages 9 – 11; 401.2.B.2, pages 2a – 2d; Section 401.3, pages 4 – 7, 10, and 10a.

- P. VIEW Forms – Minor revisions have been made in Chapter 1000, Appendix A, to the Table of Contents and the forms and instructions on pages 1, 8 – 12, and 15 –

23. The pages were updated to remove references to obsolete information, make minor corrections, and repaginate the section. No significant changes were made to the forms or instructions.

- Q. Supportive Services – Policy at Chapter 1000, page 16, adds wording to allow supportive services for VIEW participants who have been convicted of an Intentional Program violation.
- R. Expiration of Transitional Medicaid – Transitional Medicaid (TM) coverage for former VIEW participants expires June 30, 2003. TM was implemented in conjunction with the Virginia Independence Program (VIP)-VIEW waivers to provide up to 12 months of extended Medicaid when TANF benefits were terminated. Effective July 1, 2003, VIEW participants whose TANF benefits are terminated will be evaluated for eligibility for Low Income Families with Children (LIFC) or Medicaid extension coverage. Medicaid received by TANF cases closed on or after July 1, 2003, will not be counted in establishing the 24-month period of ineligibility. However, months in which Transitional Medicaid was received prior to July 1, 2003, must still be counted. This change is reflected in Sections 901.13 and Chapter 1000, pages 14 and 66.
- S. Index – Pages 7 – 9 have been updated to identify TANF match payments and interim reporting sections of the manual.

Runover pages: 201.2 – 201.3, pages 4a and 4b, 303.3, page 1d; 305.4, pages 25 and 43; 401.2, pages 2e and 2f; Procedures Section VI, page 2, and Index, page 7.

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The transmittal pages are to be incorporated into the TANF Manual as follows:

Table of Contents, page 2, dated 7/03 (1 sheet), to replace Table of Contents, page 2, dated 4/03 (1 sheet).

Table of Contents, page 4, dated 7/03 (1 sheet), to replace Table of Contents, page 4, dated 3/00 (1 sheet).

Table of Contents, page 5, dated 7/03 (1 sheet), to replace Table of Contents, page 5, dated 4/03 (1 sheet).

Chapter 100, Table of Contents, page 1, dated 7/03 (1 sheet), to be added at the front of Chapter 100.

Chapter 200, Table of Contents, pages 1 - 2, dated 7/03 (2 sheets), to be added at the front of Chapter 200.

Section 201.1 - 201.3, pages 3a – 4a, dated 7/03 (4 sheets), to replace Section 201.1 – 201.3, page 3a – 4a, dated 4/03 (3 sheets).

Section 201.8, pages 1 and 1b, dated 7/03 (2 sheets), to replace Section 201.8, pages 1 and 1b, dated 3/00, (2 sheets).

Chapter 300, Table of Contents, pages 1 - 2, dated 7/03 (2 sheets), to be added at the front of Chapter 300.

Section 303.2, page 1a, dated 7/03 (1 sheet), to replace Section 303.2, page 303.2, page 1a, dated 10/99 (1 sheet).

Sections 303.2 - 303.3, pages 1c – 1d, dated 7/03 (2 sheets), to replace Sections 303.2 - 303.3, pages 1c – 1d, dated 6/01 (2 sheets).

Sections 303.6 – 303.7, pages 7 and 7a, dated 7/03 (2 sheets), to replace Sections 303.6 – 303.7, dated 10/02 and 7/95, respectively (2 sheets).

Section 303, Appendix 1, page 2, dated 7/03 (1 sheet), to replace Section 303, Appendix 1, page 2, dated 1/95 (1sheet).

Sections 304.1- 304.4, pages 1a - 2, dated 7/03 (2 sheets), to replace Sections 304.1 – 304.4, pages 1a – 2, dated 7/91 and 4/03, respectively (2 sheets).

Section 305.1, pages 9 – 11, dated 7/03 (4 sheets), to replace Section 305.1, pages 9 – 11, dated 3/00, 6/01, 7/93, and 7/00, respectively (4 sheets).

Section 305.3, pages 14 and 15, dated 7/03 (2 sheets), to replace Section 305.3, pages 14 and 15, dated 4/03 and 07/95, respectively (2 sheets).

Section 305.4, pages 24b - 25, dated 7/03 (2 sheets), to replace Section 305.4, pages 24b - 25, dated 10/00 and 4/98, respectively (2 sheets).

Section 305.4, pages 39 – 44, dated 7/03 (6 sheets) to replace Section 305.4, pages 39 – 44, dated 10/02, 4/03, 4/03, 10/96, 10/96, 4/03, respectively (6 sheets).

Section 305, Appendix 3, page 2, dated 7/03 (1 sheet), to replace Section 305, Appendix 3, page 2, dated 7/00 (1 sheet).

Chapter 400, Table of Contents, pages 1 - 2, dated 7/03 (2 sheets), to be added at the front of Chapter 400.

Section 401.2, pages 2a – 2f, dated 7/03 (6 sheets), to replace Sections 401.2, pages 2a – 2f, dated 10/99, 3/00, 3/00, 10/99, 5/99, and 7/99, respectively (6 sheets).

Section 401.2 - 401.5, pages 4 – 10a, dated 7/03 (12 sheets), to replace Sections 401.2 – 401.5, pages 4 – 10 dated, 7/00, 7/00, 7/00, 5/99, 10/99, 10/99, 10/02, and 10/02, respectively (8 sheets).

Section 401.5 – 401.6, page 13, dated 7/03 (1 sheet), to replace 401.5 – 401.6, page 13, dated 10/02 (1 sheet).

Chapter 500, Table of Contents, pages 1 - 2, dated 7/03 (2 sheets), to be added at the front of Chapter 500.

Section 502.1, page 1, dated 7/03 (1 sheet), to replace Section 502.1, page 1, dated 7/00 (1 sheet).

Sections 502.4 – 502.5, page 4a, dated 7/03 (1 sheet), to replace Sections 502.4 – 502.5, dated 10/00 (1 sheet).

Section 503.7, page 2c, dated 7/03 (1 sheet), to replace Section 503.7, dated 4/03 (1 sheet).

Chapter 600, Table of Contents, page 1, dated 7/03 (1 sheet), to be added at the front of Chapter 600.

Sections 602.1 – 602.3, pages 1 and 2, dated 7/03 (2 sheets), to replace Sections 602.1 – 602.3, pages 1 and 2, dated 10/00 and 4/94, respectively (2 sheets).

Section 602.5, pages 4 and 5, dated 7/03 (2 sheets), to replace Section 602.5, pages 4 and 5, dated 4/98 and 7/94, respectively (2 sheets).

Chapter 700, Table of Contents, page 1, dated 7/03 (1 sheet), to be added at the front of Chapter 700.

Chapter 800, Table of Contents, page 1, dated 7/03 (1 sheet), to be added at the front of Chapter 800.

Chapter 900, Table of Contents, page 1, dated 7/03 (1 sheet), to be added at the front of Chapter 900.

Sections 901.7 – 901.8, page 8, dated 7/03 (1 sheet), to replace Sections 901.7 – 901.8, page 8, dated 7/00 (1 sheet).

Sections 901.13 – 901.14, page 11, dated 7/03 (1 sheet), to replace Sections 901.13 – 901.14, page 11, dated 1/03 (1 sheet).

Chapter 900, Appendix 1, page 1, dated 7/03 (1 sheet), to replace Chapter 900, Appendix 1, page 1, dated 5/99 (1 sheet).

Chapter 900, Appendix 2, page 1, dated 7/03 (1 sheet), to replace Chapter 900, Appendix 2, page 1, dated 4/03 (1 sheet).

Chapter 1000, pages 15 - 16, dated 7/03 (2 sheets), to replace Chapter 1000, pages 15 - 16, dated 4/03 and 10/00, respectively (2 sheets).

Chapter 1000, page 35, dated 7/03 (1 sheet), to replace Chapter 1000, page 35, dated 10/99 (1 sheet).

Chapter 1000, page 66, dated 7/03 (1 sheet), to replace Chapter 1000, page 35, dated 4/03 (1 sheet).

Chapter 1000, Appendix A, page 1, dated 7/03 (1 sheet), to replace Chapter 1000, Appendix A, page 1, dated 4/03 (1 sheet).

Chapter 1000, Appendix A, pages 8 - 12, dated 7/03 (5 sheets), to replace Chapter 1000, Appendix A, pages 8 - 12, dated 7/00, 7/99, 7/99, 7/99, and 7/99, respectively ( 5 sheets).

Chapter 1000, Appendix A, pages 15 - 23, dated 7/03 (9 pages), to replace Chapter 1000, Appendix A, pages 15 - 23, dated 6/01, 7/99, 7/99, 7/99, 7/99, 7/99, 7/99, 7/99, and 7/99, respectively (9 sheets).

Procedures Section, Introduction, page 1, dated 7/03 (1 sheet), to replace Procedures Section, Introduction, page 1, dated 2/74 (1 sheet).

Procedures Section V, pages 2 and 3, dated 7/03 (2 sheets), to replace Procedures Section V, pages 2 - 3, dated 5/99 and 8/02, respectively (2 sheets).

Procedures Section VI, pages 1 and 2, dated 7/03 (2 sheets), to replace Procedures Section VI, pages 1 and 2, dated 7/00, 12/89, respectively (2 sheets).

Procedures Section VII, page 10, dated 7/03 (1 sheet), to replace Procedures Section VII, page 10, dated 4/03 (1 sheet).

Index, pages 7- 9, dated 7/03, (3 sheets) to replace Index, pages 7- 9, dated 7/00, 10/00, and 7/00, respectively (3 sheets).



S. Duke Storen, Director  
Division of Benefit Programs

Attachment



## Appendix I - Request for the Address of a TANF Recipient

## Chapter 200 - Categorical Eligibility Requirements

Eligibility Factors	201.1
Categorical Requirements	201.1 A.
Conditions of Eligibility	201.1 B.
Caretaker's Eligibility	201.1 C.
Immunizations	201.1 D.
Drug Felons	201.1 E.
Fleeing Felons	201.1 F.
Sixty (60) Month Limit on Receipt of TANF	201.1 G.
Age	201.2
School Attendance	201.3
Living Arrangements	201.5
Specified Relatives	201.5 A.
Living in a Home	201.5 B.
Minor Parent Residency Requirement	201.5 C.
Residence	201.6
Citizenship and Alienage	201.7
Citizenship/Alienage Status	201.7 A.
Sponsored Aliens	201.7 B.
Declaration of Citizenship or Alien Status	207.7 C.
Systematic Alien Verification for Entitlements (SAVE) Program	207.7 D.
Social Security Account Number (SSN)	201.8
Obtaining a Social Security Number	201.8 A.
Assistance to Newborns	201.8 B.
Failure to Comply	201.8 C.
Determining Good Cause	201.8 D.
SSN Verification and Documentation	201.8 E.
Ending Ineligibility	201.8 F.
Assignment of Rights	201.9
Cooperation in Obtaining Support	201.10
Cooperation Defined	201.10 A.
Action to be Taken Upon Determination of Noncooperation	201.10 B.
Sanctions for Noncooperation	201.10 C.
Claim of Good Cause for Not Cooperating with the Division of Child Support Enforcement (DCSE)	201.10 D.
Advising the Client of the Right to Claim Good Cause	201.10 E.
Acceptable Evidence to Substantiate Good Cause Claim	201.10 F.
Determination of the Good Cause Claim	201.10 G.
Advising the Client of the Determination	201.10 H.
Time Frame	201.10 I.
Referral to Support Enforcement	201.10 J.
Fair Hearing	201.10 K.
Periodic Review	201.10 L.

Standards of Assistance	304.1
Total Allowable Individual Need	304.2
Medical Exams for TANF Recipient	304.3
<b>TANF Match Payments</b>	<b>304.4</b>

Appendix 1 - Grouping of Localities
Appendix 2 - Standards of Assistance

Income	
Income Eligibility	
Prospective Determinations	305.1 A.
Prospective Budgeting	305.1 B.
Verification of Income (Earned and Unearned)	305.1 C.
Handling Changes in Income	305.1 D.
Adding and Deleting Persons with Income	305.1 E.
Applicant's/Recipient's Reporting Responsibilities	305.1 F.
Income to be Counted	305.2
Earned Income	305.3
Definition of Gross Earnings or Profit	305.3 A.
Disregarded Earned Income	305.3 B.
Countable Earnings	305.3 C.
Other Income	305.4
Other Income Disregards	305.4 A.
Income from Social Security and Other Benefits	305.4 B.
Lump Sum Payments	305.4 C.
Sponsored Aliens	305.4 D.
Support from Relatives	305.4 E.
Deeming Income	305.4 F.
Other Cash Income	305.4 G.
Benefits and Services Received in Lieu of Income	305.4 H.
Income of Excluded Children Required to be in the Assistance Unit	305.5
Appendix 1 - Maximum Income Chart	
Appendix 2 - (deleted 4/03)	
Appendix 3 - TANF Grant Calculation	
Appendix 4 - SSA Quarters of Coverage Verification Procedures for Aliens	

## Chapter 400 TANF Basic Requirements Regarding Application

Basic Requirements Regarding Application	401.1
Request for Assistance	401.1 A.
Where Applications are Made	401.1 B.
Definition of Application	401.1 C.
Who Completes the Application	401.1 D.
Time Standard for Processing Application	401.1 E.
Method of Application	401.1 F.
Date of Application	401.1 G.
Effective Date	401.1 H.
Beginning Date of Assistance	401.1 I.
Disposition of Application Under Special Conditions	401.1 J.

Initial Determination/Redetermination of Eligibility	401.2
The Intake Interview	401.2 A.
Substantiation of Eligibility Factors	401.2 B.
Face to Face Interview	401.2 C.
Recommendation Regarding Eligibility	401.2 D.
Decision of Eligibility	401.2 E.
TANF Initial Employability Assessment	401.2 F.
 Renewal of Eligibility	 401.3
Reevaluated Elements	401.3 A.
Face-to-Face Interview	401.3 B.
Joint Processing	401.3 C.
Overdue Renewals	401.3 D.
Establishing Separate Assistance Units	401.3 E.
When Completion of a New Application is not Required	401.3 F.
Suspension of Assistance	401.3 G.
<b>Interim Reporting</b>	<b>401.3 H.</b>
<b>Interim Report Filing</b>	<b>401.3 I.</b>
<b>Interim Report Evaluation</b>	<b>401.3 J.</b>
 Notification to Applicant/Recipient	 401.4
Action Requiring Adequate Notice	401.4 A.
Other Action Requiring Adequate Notice	401.4 B.
Action Requiring Timely Notice	401.4 C.
 Information to be Given Applicant/Recipient	 401.5
 Impact on Medicaid	 401.6
 Transitional Child Care Benefits	 401.7
 Referral for Victims of Family Abuse	 401.8
 Income Eligibility Verification System (IEVS)	 402.1
Entitlement to Services Policy	
Family Based Social Services Policy	403.1
Child Health Screening Services	403.2
Protective Services	403.3
Foster Care	403.4
Employment Services	403.5
Child Care (Day Care) Services	403.6
Prevention and Reduction of Births Out-of-Wedlock	403.7
Other Services	403.8
 Appendix I - Virginia Legal Aid Projects	
Appendix II - Voter Registration	
 Chapter 500 - Authorization and Payment	
 Amount of Payment	 502.1
In the Regular TANF Program	502.1 A.
In Emergency Assistance to Needy Families with Children	502.1 B.

TABLE OF CONTENTS

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) POLICY MANUAL

## Chapter 100 - General Information

Legal Base	100.1
Administration	100.2
Funding	100.3
Nondiscrimination	101.1
Complaint Procedures	101.2
Records, Reports and Reviews	101.3
Definition of Intentional Program Violation (IPV)	102.1
Responsibilities of Local Departments	102.2
IPV Disqualification Penalties	102.3
Administrative Disqualification Hearings (ADH)	102.4
Notification of IPV	102.5
Referral for an ADH	102.6
Scheduling the ADH	102.7
Advance Notice of ADH	102.8
Time and Place of the ADH	102.9
Failure of Individual to Appear at the ADH	102.10
Participation While Awaiting a Hearing	102.11
Conduct of the ADH	102.12
Notification of ADH Decision	102.13
Implementation of the Hearing Decision	102.14
Purpose of Safeguarding Information and Scope of Regulations	103.1
Exchange of Information with Law Enforcement Agencies	103.2
Release of Information Regarding Past Receipt of Benefits By Aliens	103.3
Release of Information to the Immigration and Naturalization Service (INS) Regarding Illegal Alien	103.4
Purpose and Scope of Appeal Process	104.1
Role of the Commissioner of Social Services	104.2
Preliminary Definitions	104.3
Notification of Right to Appeal	105.1
Fair Hearings	105.2
Opportunity for a Local Agency Conference	105.2 A.
Administrative Disqualification Hearings (ADH)	105.2 B.
Request Procedures	105.3
Time Limits for Requesting Hearing	105.4
Processing of Appeal	106.1
Fair Hearing Procedures	106.2
Decision on Appeal	106.3
Review of Hearing Officer's Decision	106.4
Disposition of Appeals Other than by Hearing Decision	106.5
Availability of Hearing Decisions	106.6
Appendix I - Request for the Address of a TANF Recipient	

TABLE OF CONTENTS

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) POLICY MANUAL

## Chapter 200 - Categorical Eligibility Requirements

Eligibility Factors	201.1
Categorical Requirements	201.1 A.
Conditions of Eligibility	201.1 B.
Caretaker's Eligibility	201.1 C.
Immunizations	<b>201.1 D.</b>
Drug Felons	<b>201.1 E.</b>
Fleeing Felons	<b>201.1 F.</b>
Sixty (60) Month Limit on Receipt of TANF	<b>201.1 G.</b>
Age	201.2
School Attendance	201.3
Living Arrangements	201.5
Specified Relatives	201.5 A.
Living in a Home	201.5 B.
Minor Parent Residency Requirement	201.5 C.
Residence	201.6
Citizenship and Alienage	201.7
Citizenship/Alienage Status	201.7 A.
Sponsored Aliens	201.7 B.
Declaration of Citizenship or Alien Status	207.7 C.
Systematic Alien Verification for Entitlements (SAVE) Program	207.7 D.
Social Security Account Number (SSN)	201.8
Obtaining a Social Security Number	201.8 A.
Assistance to Newborns	201.8 B.
Failure to Comply	201.8 C.
Determining Good Cause	201.8 D.
SSN Verification and Documentation	201.8 E.
Ending Ineligibility	201.8 F.
Assignment of Rights	201.9
Cooperation in Obtaining Support	201.10
Cooperation Defined	201.10 A.
Action to be Taken Upon Determination of Noncooperation	201.10 B.
Sanctions for Noncooperation	201.10 C.
Claim of Good Cause for Not Cooperating with the Division of Child Support Enforcement (DCSE)	201.10 D.
Advising the Client of the Right to Claim Good Cause	201.10 E.
Acceptable Evidence to Substantiate Good Cause Claim	201.10 F.
Determination of the Good Cause Claim	201.10 G.
Advising the Client of the Determination	201.10 H.
Time Frame	201.10 I.
Referral to Support Enforcement	201.10 J.
Fair Hearing	201.10 K.
Periodic Review	201.10 L.

Family Cap Provision	201.12
Child Support for the Child Subject to the Cap Provision	201.12 A.
Minor Mothers	201.12 B.
Adoptive Parents	201.12 C.
Income and Resources of the Capped Child	201.12 D.
Children Who Move into the Home of the Parent Receiving TANF	201.12 E.
Other Caretaker/Relatives	201.12 F.
Duration of the Family Cap	201.12 G.
Client Notice of Family Cap Provision	201.12 H.
Child Conceived as a Result of Verified Rape or Incest	201.12 I.
Medicaid Coverage for the Child Subject to the Family Cap	201.12 J.
Child Capped in Another State	201.12 K.
Appendix I - Nonimmigrant Admission Codes	
Appendix III - Evidence of Age, Identity and Citizenship	
Appendix IV - SSN Update Letter	
Appendix V - Immigration and Naturalization Services (INS) Listings	
Appendix X - Noncooperation Penalty Calculation	
Emergency Assistance - Conditions of Eligibility	203.1
Emergency Assistance for Natural Disaster or Fire and Total Loss of Earnings	203.2
Authorization for TANF-EA	203.3
Referral for Service	203.4
Appendix - Essential Household Equipment	

- E. An individual convicted in state or federal court of a felony offense for possession, use, or distribution of a controlled substance is ineligible to receive TANF. The applicant must state, in writing, whether he or any other required member of the assistance unit has been convicted of such a crime. This restriction shall not apply if the conviction is for conduct occurring on or before August 22, 1996.\*
- F. An individual is ineligible if he is:
1. fleeing to avoid prosecution or custody for a felony under the laws of the place from which the individual flees; (Note: To be considered "fleeing" an individual must have knowledge of an outstanding warrant. An individual must have an opportunity to document that he has fulfilled the requirements of the warrant) or
  2. fleeing to avoid confinement after conviction for a felony under the laws of the place from which the individual flees; or
  3. in violation of a condition of probation or parole imposed under federal or state law.\*
- G. SIXTY (60) MONTH LIMIT ON RECEIPT OF TANF - An assistance unit that includes an adult who has received 60 months of assistance under TANF as defined below, is not eligible for assistance.\* "An assistance unit that includes an adult" means an assistance unit where the adult's needs are included in the grant or a case where the adult's needs are not included in the grant but the adult is required to participate in VIEW. (See 901.2.) The 60 months of TANF eligibility is an accumulated period of time.

A month in which an individual received TANF benefits in another state counts toward the 60-month limit. If an applicant states on the application for TANF benefits that he received assistance in another state, the eligibility worker must verify any TANF months to be counted by contacting the appropriate state and **recording those months in the ADAPT system**. Note: The effective date for TANF implementation will vary from state to state. **When contacting other states to verify the number of months already accrued, the worker should request the number of months counted by that state toward the 60-month limit. If contacted by another state, the worker should provide the number of months countable under Virginia's TANF program since February 1, 1997. The following website identifies each state's contact person:**  
**<http://dpaweb.hss.state.ak.us/training/map/mapHTML.htm>**.

The following months of receipt of TANF in Virginia do not count toward the 60 month limit:

- 1) Months in which no time is accrued on the assistance unit's VIEW clock, including months that a client is in inactive status on the first of the month;
- 2) Months of receipt of Aid to Families with Dependent Children (AFDC). Thus, months of financial assistance received in Virginia prior to February 1, 1997 do not count;
- 3) Any months that an individual receives assistance as a minor child (not a caretaker);

\* Public Law 104-193

- 4) Months during which the adult lived on an Indian reservation or in an Alaskan Native village if, during the month;
  - (a) at least 1,000 individuals were living on the reservation or in the village; and
  - (b) at least 50 per cent of the adults living on the reservation or in the village were unemployed;
- 5) Months in which the case was a "control" case. (Petersburg, Portsmouth, Prince William, Wise, and Lynchburg were research sites for the VIP evaluation. Cases in these localities were assigned a research or control status.)

Example 1: Client moved to Virginia 7/10/00 and subsequently applied for TANF. She indicated receipt of TANF in North Carolina approximately six months prior to this application. EW contacts the local agency in North Carolina and verifies that client received TANF there from February 1999 through January 2000. The EW will add February 1999 through January 2000 to the 60-month clock.

Example 2: Client is participating in VIEW and her clock has run from April 1999 through July 2000. On July 8, 2000 the VIEW worker placed the client in inactive status. ESW places the client back in active status on August 22, 2000. July will count as a month in the 24-month limit. August will not count because of the inactive status on the first of the month. The count will resume with the month of September.

Example 3: Client and her three children received 60 months of TANF, with the March 1, 2003 payment. The TANF case was closed effective March 31, 2003. On April 12, 2003 the client was incarcerated and her three children moved in the grandmother's household. The grandmother needed financial assistance and applied for TANF on May 1, 2003. The TANF application for the three children was approved on June 14, 2003. The children are eligible because they now live with an adult who is not included in the grant and does not have a 60-month clock. If the grandmother becomes financially needy and applies for herself, the 60-month clock will begin to accrue.

201.2 AGE - The month, day, and year of the child's birth must be established and evidence thereof entered in the eligibility case record, except that, pending the securing of such evidence, assistance must not be denied an otherwise eligible child who is obviously under 12.

If the day and month cannot be established, July 1 is assumed to be the birthdate.

Continuing Eligibility\*- The child is eligible until he reaches the age of 18. He is eligible for the month in which his 18th birthday falls if he has not attained the specified age on the first day of that month.

An 18 year old child may be eligible if enrolled in a secondary school or a vocational/technical school of secondary equivalency if he is expected to complete the high school or vocational/technical program prior to or in the same month as his 19th birthday. The program is considered completed on the last day of final exams or, if exams are not required, the last day of

\* 45 CFR 233.39(B)(ii)



scheduled classes. The child will be eligible for the month in which completion of the school program occurs; however, eligibility cannot be extended past that month. The case record must be well documented in this area.

201.3 SCHOOL ATTENDANCE\* - To be eligible for assistance, children in the assistance unit under age 18, including minor parents, must comply with the compulsory school attendance requirement. A child will be considered as meeting this requirement until such time as the local department of social services receives notification that he is truant. A child who is 18 years old meets the school attendance requirement, regardless of actual attendance, as long as he is enrolled and expected to complete high school or an equivalent program as stated in Section 201.2 above.

- A. Definition of Truancy - Truancy is defined as noncompliance with State compulsory school attendance requirements as determined by the local school division.\*\*

Local school boards may set additional rules deemed necessary to carry out the intent of the compulsory attendance laws. Such rules may also be applied by the local school division in identifying children who are truant.

- B. Notification of Truancy - When the local school division determines that a child receiving TANF is truant, it will notify the local department of social services.

School divisions will identify truant TANF recipients using one of the following methods:

1. State Department of Social Services provides all local school divisions with a list of all individuals ages five through 17. This information is e-mailed to a designated contact person in each school division monthly.
2. The local department of social services and local school division may develop an alternate method (local option) for identifying TANF children who are truant, provided the method is mutually acceptable.

Note: If the agency receives notification from a source other than the school, such as the applicant/recipient, the agency must verify truancy through the school.

- C. Notifying the Applicant/Recipient of Truancy - The local department of social services must do the following when notified by the school of truancy:

Notify the caretaker, in writing, of the truancy of a member of the assistance unit. Exception: When the caretaker is a minor parent whose TANF payments are made to a protective payee, the notice must be sent to the protective payee.

\* Code of Virginia, Section 63.2-606

\*\* Code of Virginia, Sections 22.1-254 et seq.

The notice must include the following:

1. that the truant recipient is in jeopardy of losing eligibility for TANF benefits;
2. that the caretaker must contact the local department within five working days of the notice to cooperate in developing a plan to achieve compliance with compulsory school attendance laws; and
3. that failure to contact the local department may result in the truant recipient's ineligibility for TANF due to noncooperation.

Note: The "Advance Notice of Proposed Action" form must not be used to meet this notification requirement.

- D. Development of and Cooperation with the Plan - If the caretaker contacts the agency, the agency is to work with him to establish a plan to resolve the child's truancy and to bring him into compliance with school attendance laws.

201.8 SOCIAL SECURITY ACCOUNT NUMBER (SSN) - As a condition of eligibility, each applicant is required to provide an SSN or show proof of application for a Social Security number for each person for whom assistance is requested. An applicant must meet this condition prior to approval of the case. Only those members of the assistance unit who have met this condition are to be approved for TANF. The agency must refer each applicant/recipient who does not have an SSN or cannot provide proof of application for an SSN to the Social Security Administration (SSA) District Office. The agency must also discuss with the applicant the types of evidence of age, identity, and U.S. citizenship or alien status documents which the SSA will require prior to issuing an SSN.

- A. Obtaining a Social Security Number - For those individuals who provide SSNs prior to approval or at any other time the agency shall record the SSN in ADAPT **and the State Verification and Exchange System (SVES)** according to **201.8 E.** The agency, however shall not delay approval of an otherwise eligible assistance unit solely to verify a social security number even if the 45 day processing period has not expired. As soon as all other steps necessary to approve an application are completed except for verification of the social security number the agency shall approve the application.

For those individuals who do not have an SSN, who do not know if they have a number, are unable to find a number and therefore cannot provide a number, or whose number appears to be questionable, the agency will direct the assistance unit to submit form SS-5, Application for Social Security Number to the Social Security Administration (SSA). The agency must advise the assistance unit where to file the application for an SSN and discuss what evidence the assistance unit will need to obtain a SSN. Evidence needed includes a U.S. public record of birth established before age five or other verification of birth, such as religious records whose validity is not questionable, or hospital records, if they can be verified by the SSA. While religious and hospital records will entitle the individual to an SSN, further proof of birth is required by the SSA to establish eligibility for Social Security benefits.

The agency shall advise the assistance unit that proof of the application for an SSN from SSA will be required prior to approval and suggest that the assistance unit member asks the SSA for proof of the application for an SSN. SSA has a form SSA-5028, Receipt for Application for a Social Security Number for this purpose. Local agencies may also devise their own form for this purpose; however, these must receive the approval of the Regional TANF Specialist.

- B. Assistance to Newborns - For each infant added to an active case, the recipient must begin the process of obtaining a SSN. The SSN does not have to be provided prior to adding the infant to the assistance unit. If the assistance unit is unable to provide proof of application for the number for a newborn when the child is first added to the case, the caretaker must provide the number or proof of application at its next renewal or within six months, whichever is later. If the assistance unit is unable to provide the number or proof of application within the time allowed, the agency must determine if good cause provisions exist.

#### E. SSN Verification and Documentation

The local agency shall verify the SSNs reported by the assistance unit by submitting them to the Social Security Administration (SSA) through **the State Verification and Exchange System (SVES)**.

When the **SVES inquiry** indicates that SSA is unable to verify the SSN provided by the client, the EW must recontact the assistance unit to determine if the information the assistance unit provided is correct and obtain the correct information as appropriate. Entering the corrected data into ADAPT will result in another match being initiated with SSA to verify the SSN.

If the information the agency has is correct, but the information SSA has is incorrect, the assistance unit must be notified that it must appear at the SSA office to provide them with the necessary information such as a change of name due to marriage.

If the assistance unit refuses to provide the necessary information that would allow the verification of an SSN, the individual shall be determined ineligible. For a determination of refusal to be made, the assistance unit must be able to cooperate, but clearly demonstrate that it will not take actions that it can take.

Once the worker determines that the assistance unit must provide information or documentation to either the agency or the SSA the assistance unit must complete such action prior to the next renewal or show good cause why it was unable to do so.

If an assistance unit claims it cannot cooperate for reasons beyond its control, the worker must substantiate the assistance unit's inability to cooperate. For example, an assistance unit may claim it cannot verify a name change because official records were destroyed in a fire. The worker must verify this to the point that he/she is satisfied the claim is accurate, i.e., documentation of the name change no longer exists. In these cases, an SSN match cannot be accomplished since SSA records cannot be corrected without the missing documentation. If the worker verifies that the assistance unit is unable to cooperate in the verification of the SSN, the individual shall not be terminated. The case file must adequately document the assistance unit's inability to cooperate.

If the worker is unable to substantiate the assistance unit's claim that it cannot cooperate, the individual shall be found to have refused to cooperate and shall be terminated.

#### F. Ending Ineligibility

Once a person has been removed from the assistance unit for refusal or failure to provide an SSN, the ineligible member must provide an SSN before eligibility can be established.

TABLE OF CONTENTS

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) POLICY MANUAL

## Chapter 300 - Need and Amount of Assistance

General Provisions	301.1
Definition of the TANF Assistance Unit	302.1
Definition of Caretaker	302.2
Definition of Payee	302.3
Definition of Siblings	302.4
Persons Essential to Well-Being (EWB)	302.5
Composition of the TANF Assistance Unit	302.6
In TANF	302.6 A.-F.
In Emergency Assistance	302.6 G.
Forming the Complex Assistance Unit	302.7
Minor Parent Situations When Living with a Senior Parent(s)	302.7 A.
Households With Multiple Groups of Children	302.7 B.
Definition of the Standard Filing Unit	302.8
Property Resources Affecting Eligibility	303.1
Allowable Reserves	303.2
Determining the Value of Property	303.3
Property in Excess of Allowable Reserves	303.4
Transfer of Property	303.5
Disregarded Resources	303.6
Liquidation of Assets	303.7
Appendix 1 - Remainder Interest Table	
Standards of Assistance	304.1
Total Allowable Individual Need	304.2
Medical Exams for TANF Recipients	304.3
<b>TANF Match Payments</b>	<b>304.4</b>
Appendix 1 - Grouping of Localities	
Appendix 2 - Standards of Assistance	
Income	
Income Eligibility	305.1
Prospective Determinations	305.1 A.
Prospective Budgeting	305.1 B.
Verification of Income (Earned and Unearned)	305.1 C.
Handling Changes in Income (Earned and Unearned)	305.1 D.
Adding and Deleting Persons with Income	305.1 E.
Applicant's/Recipient's Reporting Responsibilities	305.1.F.
Income to be Counted	305.2
Earned Income	305.3
Definition of Gross Earnings or Profit	305.3 A.
Disregarded Earned Income	305.3 B.
Countable Earnings	305.3 C.

Other Income	305.4
Other Income Disregards	305.4 A.
Income from Social Security and Other Benefits	305.4 B.
Lump Sum Payments	305.4 C.
Sponsored Aliens	305.4 D.
Support from Relatives	305.4 E.
Deeming Income	305.4 F.
Other Cash Income	305.4 G.
Benefits and Services Received in Lieu of Income	305.4 H.
 Income of Excluded Children Required to be in the Assistance Unit	  305.5

Appendix 1 - Maximum Income Chart

Appendix 2 - Evaluation of Food and Clothing Contributed

Appendix 3 - TANF Grant Calculation

Appendix 4 - SSA Quarters of Coverage Verification Procedures for Aliens

To be considered as currently owning a home, and therefore not eligible for the exemption, the assistance unit must own both the domicile and lot where it presently resides. Therefore, an assistance unit that owns a mobile home but pays monthly rent for the lot where it is parked does not fit the definition of owning a home, and would receive an exemption for one lot on which it intended to build or was building a permanent home or on which it intended to move the mobile home.

Families that have purchased or are purchasing a mobile home, but which have not moved it to a lot or other site, will have the value of the mobile home exempted even though the assistance unit is not living in it. The assistance unit cannot own the home in which it is currently living and receive this exemption. Further, the assistance unit must state its intention to move in.

B. **Motor vehicles.**

1. **Disregard the vehicle with the highest equity value.\***
2. **Additional motor vehicles - Any additional vehicles owned by the assistance unit with an equity value of \$1,500 or less will not impact eligibility.** (See Exception in 303.A. above when the assistance unit is using the vehicle as a home.) **Additional vehicles owned while a VIEW participant must first be evaluated using policy at 901.8.**

C. Property (real and personal) owned solely by any individual in the household who is receiving SSI.\*\* When property is owned jointly by an SSI recipient and an AFDC applicant/recipient, refer to Procedures Section V.A.2. and B.

D. Income producing farming and business equipment, including vehicles, and tools used in a craft or trade, that are essential to employment or self-employment.

This exemption is not affected by the owner's current employment or medical status.

1. The item in question must have been necessary to the employment of a unit member at sometime in the past.
2. The unit member must plan to go back into this employment at sometime in the future.

There are no time limits to be applied to either 1. or 2., above.

Additionally, no consideration is given as to why the person is not currently doing this type of work or what it would take for the person to go back into it.

E. Cash and other assets, (including liquid assets and real and personal property not listed above or in excess of the specified amount) not to exceed \$1,000 for the assistance unit (See Section 303.5). Liquid assets are those properties in the form of cash or other financial instruments which are convertible to cash.

\* 2003 General Assembly Budget Bill

\*\* ACF-AT-93-2

- I. Individual development accounts, one per assistance unit, established through the Virginia Individual Development Account (VIDA) demonstration project for the purpose of postsecondary education, a first home purchase, or business start-up.\* Funds on deposit in the account, up to \$2,000, shall be disregarded in determining eligibility for so long as the funds remain on deposit in the account. Any withdrawals from the account made as vendor payments for one of the purposes stated in this section shall be disregarded in determining eligibility. If any amount is withdrawn from the account and paid directly to the VIDA participant, the amount will be treated as a countable resource in the month withdrawn, unless the VIDA demonstration agency determines that the funds withdrawn were used to meet an emergency. Each VIDA demonstration agency will determine what constitutes an emergency. Amounts over the \$2,000 limit are countable resources. Any matching funds deposited on the participant's behalf by the VIDA demonstration agency are not available to the participant and are not a countable resource. **A list of VIDA sites is available on the Internet at:**  
**<http://www.dhcd.state.va.us/CD/crd/vida/vidaindex.htm>.**

The agency must verify through the local agency or organization piloting VIDA that the account was established under VIDA and is being maintained as such, the account balance, whether any withdrawals have been paid directly to the participant, and if so, whether the funds withdrawn were determined by the VIDA pilot to have been withdrawn and used for an emergency.

- J. Individual development accounts, **one per assistance unit**, established through demonstration programs administered pursuant to the Assets for Independence Act (AFIA) **for the purpose of postsecondary education, a first home purchase, or business capitalization.\*\*** Deposits to the account, interest accrued, and matching contributions made by the AFIA demonstration agency are disregarded, **regardless of amount.\*\*\*** **A list of AFIA sites is available on the Internet at:**  
**[http://www.acf.hhs.gov/programs/ocs/demo/ida/grantees/region\\_3.html](http://www.acf.hhs.gov/programs/ocs/demo/ida/grantees/region_3.html).**

**If funds are withdrawn from the account, they must be used for one of the three purposes for which the funds are being saved or, with approval by the AFIA demonstration agency, to meet an emergency. If funds are withdrawn and used for any other purpose, they are a countable resource in the month withdrawn.**

Verify through the agency or organization conducting the AFIA demonstration that the IDA was established under AFIA and is being maintained as such, **whether any withdrawals have been paid directly to the participant, and if so, whether the funds withdrawn were determined by the AFIA agency to have been withdrawn and used for an emergency.**

303.3 DETERMINING THE VALUE OF PROPERTY - The value of assets as a resource to the individual or family is the client's equity in the property, real or personal. Equity is defined as the fair market value minus encumbrances (legal debts) against the property.\*\*\*\*

\* 1999 Acts of Assembly, Appropriations, Item 404, 3c

\*\* Public Law 105-285

\*\*\* Public Law 106-554

\*\*\*\* 45 CFR 233.20(a)(3) (ii) (E)



The agency will establish fair market value for specific items as follows:

- A. Real Property - The fair market value of real property other than the home shall be obtained from the assessor's office or the Commissioner of Revenue in the locality where the property is located.

If property is jointly owned, the expected cost of partitioning and attorney fees will be considered in establishing equity value.

When property is owned by one party and a second party has a life estate or "life rights" to the property, then the first party has a remainder interest in the property. A life estate conveys to the individual to whom it is given certain property rights for the duration of his or her life, or someone else's life.

To determine the fair market value of a remainder interest in property, multiply the assessed value of the property by the fraction corresponding to the individual's age who has life rights. Appendix 1 contains the table that is to be used to perform this calculation.

- B. Motor Vehicles - The fair market value of a motor vehicle must be determined by using one of the following methods, in the order of priority which is listed below:

1. The National Automobile Dealers Association (NADA) average trade-in value in the NADA Official Used Car Guide, or, for an older car which does not appear in the current NADA guide, the average trade-in value found in the NADA Official Older Used Car Guide, or
2. If the vehicle is not listed in the NADA books, the value which is assessed for tax purposes, or
3. If the methods listed in (1) and (2) are not available, or if the applicant/recipient disagrees with the value which appears in the NADA guide, one statement from a licensed dealer, or
4. If the methods listed in (1), (2), and (3) are not obtainable, the statement of the applicant/recipient.

The average trade-in value listed in the current NADA Official Used Car Guide or the average trade-in value listed in the NADA Official Older Used Car Guide is considered the fair market value from which encumbrances must be deducted in order to establish equity value. There shall be no adjustments made to the average trade-in value amount specified in the NADA guides for optional features, special equipment for the handicapped, mileage, condition, operability, etc.

In those instances in which a motor vehicle is not listed in the current NADA guide, or the older used car guide, the applicant/recipient may provide a statement of assessment for tax purposes which contains the value of the vehicle in order to establish the equity value. If a tax assessment statement is not available, the applicant/recipient can provide a licensed dealer statement in order to establish the value. It is the responsibility of the applicant/recipient to obtain this licensed dealer's statement, but if assistance is requested, the EW must contact a licensed dealer to ascertain the fair market value.

- S. Student financial assistance received under the Carl D. Perkins Vocational and Applied Technology Education Act made available for attendance costs (Public Law 101-392). Attendance costs are defined below.
1. Tuition and fees normally assessed a student carrying the same academic workload as determined by the institution, and including
  2. An allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.
- T. Funds in an escrow account established under the Family Self-Sufficiency Program of the Department of Housing and Urban Development.
- U. Student financial assistance received under Bureau of Indian Affairs Student Programs.\*
- V. All bona fide loans, regardless of the intended use.\*\* This includes loans obtained for any purpose, and may be from a private individual as well as from a commercial institution. A simple statement signed by both parties indicating that the payment is a loan and must be repaid is sufficient to verify that a loan is bona fide. If the customer indicates that money received was a loan but does not provide required verification, the money is to be treated as unearned income in the month received and a resource thereafter.
- Interest earned on the proceeds of a loan while held in a savings account, checking account, or other financial instrument will be counted as unearned income in the month received and a resource thereafter.
- W. Income, including support, received by or on behalf of a child ineligible for AFDC due to the family cap provision.\*\*
- X. Up to \$5,000 of a savings or investment account, including interest or appreciation in value, for the purpose of self-sufficiency.
- Y. Payments received by victims of Nazi persecution under Public Law 103-286.
- Z. **One motor vehicle per assistance unit.\*\*\***
- AA. **TANF Match Payments included in a recipient's monthly TANF benefits, representing current support collected by Division of Child Support Enforcement.\*\*\*\***
- BB. **Payments received from the Ricky Ray Hemophilia Relief Fund established under Public Law 105-369.**

\* Public Law 102-325

\*\* 45 CFR 233.20(a)(3)(i)(B)(5)

\*\*\* 2003 General Assembly Budget Bill

\*\*\*\* 2002 Virginia Acts of Assembly

- CC. Any veteran benefits received by children born with spina bifida, who are natural children of individuals who served in Vietnam during the period beginning January 9, 1962, and ending May 7, 1975.
- DD. Allowances, earnings, and payments to the individuals participating in programs under Title I of the Workforce Investment Act (WIA).\*\*

These resources are to be disregarded as long as they are kept separate from the allowable reserve. In the event any funds derived from items C. through DD. above are combined with other resources, it is the customer's responsibility to provide documentation to verify the exempted amount. Otherwise, the funds must be considered in determining eligibility.

303.7 LIQUIDATION OF ASSETS - When ownership of real property alone, or in combination with other countable assets, causes the assistance unit's resources to exceed the \$1,000 allowable reserve, the applicant/recipient must be given the opportunity to receive assistance for the otherwise eligible assistance unit for a reasonable period of time while efforts are being made to dispose of the real property. This period is not to exceed nine consecutive months.

The nine-month period runs for nine consecutive months regardless of whether assistance is received during that period. For an applicant, the period will begin with the first month of entitlement. For a recipient, the nine-month period will begin the month in which the recipient receives the property. When it is learned that the recipient owns property which has not been reported, the nine-month period will begin in the month the unit became aware or had reason to become aware of the existence of the resource. (See Section 303.1.)

The continuation of assistance during the nine-month period is contingent upon the applicant's/recipient's willingness to sell the property and agreement to repay, from the proceeds of the sale, the assistance received while trying to sell.\* This provision does not apply when the equity value of personal property alone exceeds the allowable reserve.

Once it has been determined that an applicant/recipient owns real property which causes the unit to exceed the allowable reserves and that the nine-month disposal period has not expired, the agency must:

- A. Advise the applicant/recipient, in writing, of the excess property.

\* 45 CFR 233.20(a)(3)(i)(B)(5)

\*\* 20 CFR 667.272 (c)

REMAINDER INTEREST TABLE  
(CONTINUED)

<u>AGE</u>	<u>REMAINDER</u>
40	.08429
41	.08970
42	.09543
43	.10145
44	.10779
45	.11442
46	.12137
47	.12863
48	<b>.13626</b>
49	.14422
50	.15257
51	.16126
52	.17031
53	.17972
54	.18946
55	.19954
56	.20994
57	.22069
58	.23178
59	.24325
60	.25509
61	.26733
62	.27998
63	.29304
64	.30648
65	.32030
66	.33449
67	.34902
68	.36390
69	.37914
70	.39478
71	.41086
72	.42739
73	.44429
74	.46138

Due to the establishment of the maximum reimbursable payment amounts, some **TANF** assistance units experience the potential for reduction in the unit's income due to the redirection of child support to the Division of Child Support Enforcement (DCSE). To ensure these units do not incur such a reduction in their income, they may receive a supplemental assistance payment each month known as a Hold Harmless payment. Hold Harmless payments are issued by VACIS and are considered **TANF** assistance payments which are based on support collections (less the \$50 disregard). Hold Harmless payments represent the amount of the support collection up to the difference between the assistance unit's deficiency and the maximum reimbursable payment. Since Hold Harmless payments are a portion of the unit's monthly assistance payment, all policies governing assistance payments, i.e. notices, fair hearings, etc., must be applied.

While the majority of Hold Harmless payments will be calculated and issued automatically by VACIS, the worker may need to issue a payment via FMF in situations where a reduction/termination of the Hold Harmless payment is appealed.

Hold Harmless payments are issued on the 10th of every month based on the appropriate standards of assistance and monthly support collections. Due to the fact that Hold Harmless payments are issued based on the unit's circumstances two months prior to the ADC payment month and are intended to supplement the unit's needs for that month, issuance of Hold Harmless payments may continue for two months after the case is closed. The appropriate notice and hearings requirement must be met during this two-month period.

**Hold Harmless policy will expire effective August 31, 2003. These payments will no longer be necessary because TANF assistance units who have support greater than \$50 paid to the DCSE for children in the AU will receive a TANF Match Payment.**

304.2 TOTAL ALLOWABLE INDIVIDUAL NEED - When it is necessary to determine whether one individual included in the TANF assistance unit is in need, the total amount allowed for his needs must be identified. This amount is his pro rata share of the appropriate standard of assistance for the assistance unit. The same procedure is used to determine whether or not a caretaker-relative other than the parent or an essential (EWB) person living in the home is in need and eligible for inclusion in the assistance unit. Once the caretaker-relative other than the parent is included in the assistance unit, he may volunteer to participate in VIEW and continue to be eligible for TANF if countable income is less than the current poverty level for one person.

When an individual is removed from the assistance unit, the assistance plan is recomputed on the basis of the standard of assistance specified for the number of persons remaining in the unit.

304.4 - TANF MATCH PAYMENTS (TMP) - The 2002 Virginia Acts of Assembly mandates, effective July 1, 2003, that all recipients of TANF cash assistance, including recipients whose deficit is less than \$10, be paid a monthly TANF supplement in an amount equal to the current child support collected by the Division of Child Support Enforcement, less the disregard of the first \$50 of current child support received by the assistance unit. Payments will be issued even though the combined total of the TANF deficit and TMP total less than \$10.

TANF Match Payments are defined as current child support paid on behalf of a case, less \$50. The Match payments are issued in the second month following receipt and are issued with the TANF benefits as a single payment.

Since the match payments are a portion of the unit's monthly assistance payment, all policies governing assistance payments must be applied, i.e., notices and fair hearings. The TMP is added to the TANF cash benefit after all eligibility and benefit transactions have been completed in ADAPT, i.e., imposition of disregards, penalties, and recoupment have been calculated. TANF Match Payments are not issued when the case is suspended or in a VIEW sanction.

Since TMP payments are paid two months after collection of support, the case may receive payments for up to two months after case closure. These payments are automatically generated in ADAPT and mailed from the State Department of Social Services.

If the TANF benefit, including the TMP, exceeds the maximum reimbursable payment for the assistance unit, the maximum will not apply and the full amount of the combined payment will be issued.

Information on TMPs is passed to ADAPT each month, based on the amount of current child support paid two months prior to the payment month on behalf of assistance unit members. If current support paid in a month is \$50 or less, no match payment will be included in the TANF check. A TMP change notice will be sent by the State Department of Social Services to affected TANF cases each month, indicating the Match Payment amount and the TANF benefit amount to be paid on the first of the following month.

At each renewal, all income of the assistance unit must be verified, regardless of whether a change has been reported. If a change is identified, a prospective determination must be conducted in accordance with Section 305.1.A. to establish ongoing eligibility.

When a change in income occurs between renewals, a prospective determination must be conducted to establish ongoing eligibility.

When attempts to verify countable income prove to be unsuccessful because the person or organization that is to provide the verification fails to cooperate with the assistance unit and the local agency, and there are no alternate sources of verification available, the Eligibility Worker shall determine an amount to be used for TANF purposes based on the best available information. The case record must be documented to reflect the method used to arrive at the anticipated income.

In the above situation, the following verification will be considered the best available information:

1. a third party statement,
2. a collateral contact, or
3. as a last resort, the applicant's/recipient's written statement of the amount of income anticipated to be received in the payment month.

**D. Handling Changes in Income (Earned and Unearned)**

1. **The assistance unit must report increases in income that place the assistance unit's monthly income above 130 percent of the federal poverty level based on assistance unit size.**

**The income limits are as follows:**

<u>Income Limits</u>				
Household Size	Monthly Amount	Weekly Amount	Bi-Weekly Amount	Semi-Monthly Amount
1	\$ 960	\$223.26	\$ 446.51	\$ 480.00
2	1,294	300.93	601.86	647.00
3	1,628	378.60	757.21	814.00
4	1,961	456.05	912.09	980.00
5	2,295	533.72	1,067.44	1,147.50
6	2,629	611.40	1,222.79	1,314.50
7	2,962	688.84	1,377.67	1,481.00
8	3,296	766.51	1,533.02	1,648.00
<b>Each Additional Person</b>	<b>\$334</b>	<b>\$77.67</b>	<b>\$153.34</b>	<b>\$167.00</b>

1. When **a change in income** is reported or becomes known, **including changes not required to be** reported to the agency, the worker must take the following steps:
  - a. Document the case record regarding the rate and frequency of payment (i.e., weekly, biweekly, semi-monthly, monthly, etc.) and the payment cycle (i.e., on what day the client is paid). If, based on the information provided by the client, there is a decrease in benefits, income must be verified by the next renewal.
  - b. When an increase in income occurs, conduct a prospective determination per Section 305.1.A based on information provided. If the prospective determination renders the case ineligible, close the case as soon as administratively possible, or if ineligibility is expected to exist for only one month the payment may be suspended.

If the case continues to be eligible, calculate the payment reflecting the new or increased income. If the income anticipated to be received during the month following the month the change became known to the agency represents less/more than a full month's income, then the second month following the month the change became known to the agency must be calculated based on the amount of income anticipated to be received in that month.

For increases in contract income, refer to Section 305.1.B.2.a.4.

- c. If a decrease in income occurs, the change must be reflected, based on information provided, in the following payment month. Verification must be provided by the second month after the change becomes known. (Refer to Section 503.9 for further guidance concerning underpayments.)

For decreases in contract income, refer to Section 305.1.B.2.a.4.



E. Adding and Deleting Persons With Income

1. When adding/deleting a person with income, conduct a prospective determination per 305.1.A. If eligible, verify anticipated income and reflect the change in the appropriate payment month.
2. When deleting persons with income, income of persons being removed from the assistance unit will be deleted from consideration at the same time the individual is removed from the unit. Additionally, any income of a stepparent or parent (including the parent of a minor caretaker) who is not included in the assistance unit will be deleted for the month following the month the person leaves the home. In the case of a minor caretaker, income deemed from the minor's parent(s) will be deleted for the month following the month the minor caretaker attains the age of 18.

Example #1 - One of three children is removed from the home by the court on July 15. This child receives Social Security of \$75 per month. The August payment should not reflect the income and needs of the child who was removed.

Example #2 - A stepparent moves out of the home on the 23rd of September. Any income deemed available to the unit should be deleted from the October grant calculation. A supplemental payment must be made if the income cannot be deleted from the October 1 payment.

3. When adding/deleting the income of excluded individuals required to be in the assistance unit, the income of any excluded individual required to be in the assistance unit will be treated the same as individuals who are included in the assistance unit and, in the case of earned income, earned income disregards are applicable.
  - a. The income of an excluded individual will be deleted the month following the month that the person leaves the home or is no longer required to be in the unit.
  - b. When an excluded individual gets an increase or decrease in income, the increase or decrease will be handled in accordance with Section 305.1.D.

F. Applicant's/Recipient's Reporting Responsibilities

The applicant/recipient must be advised according to Section 401.2.B.1. and 2. regarding **verification requirements** and action that may be taken if verification is not provided. Additionally, the worker must provide the applicant/recipient with the following information:

1. Documents that constitute acceptable types of verification.

2. Time standards for reporting **and acting on** changes.

- a. All **required** changes must be reported timely, within 10 calendar days from the date the change becomes known to the assistance unit **or at the latest, 10 days into the next month after the change occurs, e.g., that gross monthly income exceeds 130 percent of the federal poverty level (FPL).**

If the recipient is uncertain of the exact date or amount of the change, then the 10 day reporting period begins the day the change occurs. The recipient is not required to have full knowledge of the change when reporting it to meet the 10-day requirement for timely reporting. For new employment, the 10-day period may begin as late as the first day of employment. Once the recipient reports a change, the EW must evaluate the information within 10 days for potential impact and request additional information and necessary verifications that address rate of pay, number of hours, and how often paid.

1. When a change will increase benefits, the verification required must be obtained prior to the second month following the change in order to reflect the change in that month. If the assistance unit does not provide verification, the assistance unit's benefits will revert to the original amount unless a refusal to cooperate is documented, in which case an advance notice must be sent to terminate the case. An advance notice is not required if benefits are reverted to the original level because verification was not received, and the assistance unit was so advised at the time of increase.
  2. Whenever a change will decrease benefits, verification must be obtained prior to or at renewal.
  3. When a change neither increases nor decreases benefits, required verifications must be obtained prior to or at renewal.
- b. The worker is responsible for notifying the applicant/recipient when income must be verified. Income verification must be provided within 10 days of notification.
- c. The worker must advise the applicant/recipient on the appropriate notice of the amount of gross income anticipated to be received, the net income counted in determining the payment, the payment month the net income will begin to be counted, and **the** changes **that** must be reported.

3. Changes that must be reported.

305.3 EARNED INCOME - Earned income is defined as income earned by an individual through the receipt of wages, salary, and/or commissions, or through profit from activities in which he is engaged as a self-employed individual.\* Earned income includes pay for jury duty, severance pay, vacation pay, and sick pay from the employer or employer obtained insurance.

Self-employment is defined as a business, farming or commercial enterprise in which the individual receives income earned by his own efforts, including his active engagement in management of property. Income from property when the individual is not actively engaged or when no managerial responsibilities are involved is not considered earned income.\*\* In addition, for TANF purposes, self-employment situations include, but are not limited to, domestic workers, day care providers including babysitters, and chore and companion service providers.

Contract earnings are defined as wages guaranteed by a contract. This does not include work on an hourly or piecework basis or self-employment. A guaranteed wage is one which is received by an individual employed on a contractual basis and paid over a period of time. Earnings of this nature will be prorated according to 305.1.B.2.a.4).

When income is received from property, the eligibility case record must clearly indicate the basis for determining whether or not the individual produces it by his own efforts or whether or not he is actively engaged in management.

A. Definition of Gross Earnings or Profit

1. Gross earned income from wages, salary or commissions means the total amount of pay, irrespective of deductions, withholding or work expenses.\*\* It is not the "take home" pay. Exception: Money advanced from an employer prior to the regular pay date must be counted as part of the gross income in the month of receipt. Any amount withheld to repay an advance in salary received prior to the budget month shall be deducted from gross earnings or profit for the budget month in which it is withheld.
2. Profit from self-employment means the total income received, less the business expenses directly related to producing the goods or services and without which the goods or services could not be produced.\*\*\* However, business expenses do not include:

\* 45 CFR 233.20 (a)(6)(iii) and (iv)

\*\* 45 CFR 233.20(a)(3)(iii)

\*\*\* 45 CFR 233.20(a)(6)(v)

- a. net losses from previous periods;
  - b. federal, state, and local taxes;
  - c. money set aside for retirement purposes;
  - d. personal expenses, entertainment expenses, and personal transportation;
  - e. depreciation of equipment, machinery, or other capital investments necessary to the self-employment enterprise.
- B. Disregarded Earned Income - As specified below, certain earned income of members of the assistance unit and excluded individuals required to be in the assistance unit must be disregarded in determining need of the assistance unit and amount of assistance to which the assistance unit is entitled. In addition, income disregarded under the provisions of other federal assistance programs must not be counted as income to the ADC assistance unit\*. With the exception of Items #1 and #2, the items listed below are not disregarded during the 185% screening. Income disregards are to be applied to gross earned income in the order listed below. (Refer to Procedures Section VII.A.1.c. to determine student status.)
- 1. Earned income of any eligible child\*\* derived from employment under Title II, Parts A (Adult and Youth Programs) and B (Summer Youth Employment Programs), and Title IV, Parts A (Indian and Native American Employment and Training Programs, and Migrant and Seasonal Farmworker Programs) and B (Job Corps Program) of the Job Training Partnership Act of 1982 (JTPA)\*\*\* shall be disregarded for a total of six months per calendar year in the 185% screen, determination of need (for applicants) and grant computation.
    - a. Full-time Students - Subsequent to these six months, Title II, Parts A and B, and Title IV, Parts A and B, JTPA earnings are to be counted in the 185% screen and determination of need but will continue to be disregarded in the grant computation.
    - b. All other eligible children - Subsequent to these six months, Title II, Parts A and B, and Title IV, Parts A and B, JTPA earnings are to be counted in the 185% screen, determination of need and grant computation.
  - 2. Other earned income of any eligible child who is a full-time student must be disregarded for a total of six months per calendar year in the 185% screen, determination of need (for applicants) and grant computation. Subsequent to these six-months, such earnings will only be disregarded in the grant computation.\*\*\*\*

\* 45 CFR 233.20(a)(4)(iii)

\*\* 45 CFR 233.20(a)(3)(xvii)

\*\*\* Public Law 97-300

\*\*\*\* 45 CFR 233.20(a)(3)(xix)

37. All bona fide loans, regardless of the intended use.\* This includes loans obtained for any purpose, and may be from a private individual as well as from a commercial institution. A simple statement signed by both parties indicating that the payment is a loan and must be repaid is sufficient to verify that a loan is bona fide. If the customer indicates that money received was a loan but does not provide required verification, the money is to be treated as unearned income in the month received and a resource thereafter.

Interest earned on the proceeds of a loan while held in a savings account, checking account, or other financial instrument will be counted as unearned income in the month received and as a resource thereafter.

38. Income, including support, received by or on behalf of a child ineligible for TANF due to the family cap provision. \*\*
39. Payments received by victims of Nazi persecution under Public Law 103-286.
40. Matching contributions deposited in an individual development account (IDA) or on the applicant/recipient's behalf in a parallel account maintained by the organization administering the IDA program. (Refer to Sections 303.2 I and J regarding IDA's.)
41. Income received by children who are in a VIEW period of ineligibility.
42. Interest income of less than an average of \$10 per month.
43. TANF Match Payments issued to TANF recipients based on current support collected by the Division of Child Support Enforcement.
44. Any veteran benefits received by children born with spinal bifida, who are natural children of individuals who served in Vietnam during the period beginning January 9, 1962, and ending on May 7, 1975.
45. Payments received from the Ricky Ray Hemophilia Relief Fund established under Public Law 105-369.
46. Allowances, earnings, and payments to individuals participating in programs under Title I of the Workforce Investment Act (WIA).\*\*\*

B. Income From Social Security and Other Benefits - Monthly benefits received or anticipated to be received by members of the assistance unit, or individuals required to be in the assistance unit, must be counted as income, with the following exceptions:

1. When a member of the assistance unit is eligible for benefits (such as but not limited to, RR Retirement, private corporation retirement,

\* 45 CFR 233.20(a)(3)(xxi)

\*\* Code of Virginia, Section 63.1-105.7

\*\*\* 20 CFR 667.272 (c)

Veterans, Social Security, or any reduced benefits), the verified amount must be counted, even though the individual chooses not to accept such benefits.

The agency has a responsibility to explore potential resources and assist the applicant/recipient in developing them to a state of availability whenever possible.\*

2. When educational benefits are being received from Veterans Administration. (See 305.4.A.12.)
3. When the Medicare Part B premium is deducted from the Social Security or Railroad Retirement benefits of an individual who is also receiving Medicaid. The amount of benefits actually received, plus the amount of the Part B premium, is counted as income since Medicaid will pay the premium during the time the individual receives Medicaid.

C. Lump Sum Payments - The receipt of a nonrecurring lump sum payment, such as the accumulation of benefits for a prior period, including Social Security and Workmen's Compensation benefits; payments in the nature of a windfall, e.g., inheritances or lottery winnings; personal injury awards; that portion of a casualty property loss payment which is not used for repair or replacement of the damaged/lost resources; life insurance settlement when the policy is owned by someone other than a member of the assistance unit; nonrecurring child support identified as disbursements in excess of obligation; or income from any other nonrecurring source, shall be prorated and reflected as income when the lump sum plus all other net countable income exceeds the standard of need (100%) in the month of receipt.\*\* NOTE: A lump sum is required to be treated as such even if the customer places the funds in a savings account as specified in 303.2 H.

In situations involving casualty property loss payments for repair or replacement of damaged/lost resources, such payments will not be considered as income or resources if the client initiates action to repair or replace the resource prior to or within 30 calendar days after receipt of the lump sum payment and expends the payment for such repair or replacement within 12 months after receipt. NOTE: Verification of initiation of action to repair or replace the resource, expending the payment within 12 months, and use of the payment must be documented in the case record. The casualty property loss payment must be kept separate from other income and resources. If not kept separate, the lump sum policy will apply.

If the recipient does not initiate action to repair or replace the resource within 30 calendar days after receipt, without good cause, a period of in-eligibility will be calculated beginning with the first full month following the 30 calendar day period if administratively possible, but no later than the next month. If the recipient does not expend the payment to repair or replace the resource within 12 months after receipt, without good cause, a period of ineligibility will be calculated beginning with the first month following the 12 month period if administratively possible, but no later than the next month. NOTE: When it is not possible to close the case until the next month due to the advance notice period, this payment will not be an overpayment.

\* 45 CFR 233.20(a)(3)(ix)

\*\* 45 CFR 233.20(a)(3)(ii)(F)

of dependents the stepparent has. Countable income is to be deducted from the standard of assistance at 90% for the assistance unit.

- b. Stepparent Deeming Procedure Used When the Parent in the Home Refuses/Fails to Cooperate With DCSE - When it is determined that the parent of the TANF child(ren) has failed or refused to cooperate with DCSE, the stepparent's income must be deemed available to the assistance unit, calculating the deemed amount in accordance with 305.4.F.1.a.1) - 4). The deemed income, in addition to the income of the parent and child(ren) must be counted to determine the assistance unit's eligibility and grant amount.

Failure of the customer to verify the income of the stepparent will result in ineligibility of the case.

- c. Stepparent Deeming Procedure Used When the Parent Is Not in the Home With the Stepparent - The deeming procedure in Section 305.4.F.1.a.1-4) applies when:

- 1) the stepparent resides with the TANF child(ren) but is not included in the assistance unit; and
- 2) the parent of the TANF child(ren) resides elsewhere but continues to be married to the stepparent.

If the stepparent is included in a TANF assistance unit, policies and procedures applicable to assistance unit members apply instead of the deeming procedures.

Note: A lump sum payment received by an eligible child's stepparent is considered available to the assistance unit in the month of receipt only.

**EXAMPLE #1:**

Ms. P. is applying for TANF for herself and her 3 children. Ms. P. receives unearned income in the amount of \$50 per month, and each of the 3 children receives unearned income in the amount of \$50 per month, as well. Ms. P.'s husband (not the children's father) is employed and earns \$1,530 per month. Mr. P. has no other dependents.

1. To determine Ms. P.'s eligibility to be included in the AU:

Mr. P.'s income	\$1,530.00
Less \$90 disregard	<u>- 90.00</u>
	\$1,440.00
Less standard of need for 1 (group II)	<u>-174.00</u>
Amount deemed available to Ms. P.	\$1,266.00
Standard of assistance for 4 person AU	\$ 382.00

**Note: The standard of assistance does not include the TANF Match Payment.**

Since the portion of Mr. P.'s income which is deemed available to Ms. P. exceeds the standard of assistance for 4 persons, she is not eligible to be included in the AU.

2. To determine the 3 children's eligibility, and, if eligible, the grant amount:

Stepparent's (Mr. P.'s) income	\$1,530.00
150% of poverty guidelines for 2 (monthly)	<u>-1,515.00</u>
Amount <u>greater than</u> 150% poverty guidelines	\$ 15.00

Standard of assistance for 3-person AU	\$ 320.00
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**Note: The standard of assistance does not include the TANF Match Payment.**

Less countable income (\$15.00 - amount of Mr. P.'s income which exceeds 150% of poverty guidelines; \$50 - Ms. P.'s unearned income; \$150 - the children's unearned income)	<u>- 215.00</u>
Grant amount	\$ 105.00

**EXAMPLE #2:**

Ms. J., who has been receiving TANF on behalf of herself and her 2 children reports that she remarried over the weekend. Ms. J. receives unearned income in the amount of \$100 per month. Her husband, Mr. J. is employed, with earnings in the amount of \$800 per month. Mr. J. has 3 children who live with his former wife, for whom he pays support in the amount of \$400 per month.

1. To determine Ms. J.'s eligibility to be included in the AU:

Mr. J.'s income	\$ 800.00
Less \$90 disregard	<u>- 90.00</u>
	\$ 710.00
Less standard of need for 1 (group II)	<u>- 174.00</u>
	\$ 536.00
Less support paid by Mr. J. to non-household dependents	<u>- 400.00</u>
	\$ 136.00
Standard of assistance for 3-person AU	\$ 320.00

**Note: The standard of assistance does not include the TANF Match Payment.**

Since the portion of Mr. J.'s income which is deemed available to Ms. J. is less than the standard of assistance for 3 persons, she is eligible to be included in the AU. Proceed to grant calculation, since Ms. J. is eligible.

2. To determine the grant amount:

Standard of assistance for 3-person AU	\$ 320.00
Less countable income (Ms. J.'s income)	<u>- 100.00</u>
Grant amount	\$ 220.00

**EXAMPLE #3:**

Ms. L. is applying for TANF for herself and her 2 children. Ms. L. works 10 hours per week, and earns \$50 weekly. Her husband, Mr. L. (not the children's father) is employed and earns \$2,000 per month. Mr. L. has 1 child, who lives in the household, also.



1. To determine Ms. L.'s eligibility to be included in the AU:
 

Mr. L.'s income	\$2,000.00
Less \$90 disregard	<u>- 90.00</u>
	\$1,910.00
Less Standard of need for 2 (group II) to include Mr. L. and his child	<u>- 257.00</u>
Income deemed available to Ms. L.	\$1,653.00
Standard of assistance for 3-person AU	\$ 320.00

**Note: The standard of assistance does not include the TANF Match Payment.**

Since the portion of Mr. L.'s income which is deemed available to Ms. L. exceeds the standard of assistance for 3 persons, she is ineligible to be included in the AU.

2. To determine the 2 children's eligibility, and if eligible, the grant amount:

Stepparent's (Mr. L.'s) income	\$2,000.00
150% of poverty guidelines for 2 (monthly)	<u>-1,515.00</u>
Amount <u>exceeding</u> 150% of poverty guidelines	\$ 485.00
Standard of assistance for 2-person AU	\$ 254.00

**Note: The standard of assistance does not include the TANF Match Payment.**

Therefore, the 2 children are ineligible for TANF, since Mr. L.'s income, in excess of 150% of poverty guidelines, exceeds the standard of assistance for an AU of 2.

2. Deeming Income in Minor Caretaker and Ineligible Alien Cases - Income must also be deemed to an assistance unit in the following situations. Applicable policies and procedures are explained below.

- a. Minor Caretaker Living with Senior Parent(s) - When living together, the income of a senior parent(s) is to be deemed available to the minor caretaker's assistance unit.\* The senior parent's income must be considered available to the eligible child(ren) by applying the deeming procedure in Section 305.4.F.2.c. below. A stepparent's income is not deemed available to a minor caretaker's assistance unit.

When the minor caretaker is an SSI recipient, and lives in the home of his/her parent, the income of the senior parent(s) is deemed available to the minor caretaker's TANF assistance unit. If eligibility for TANF exists, the Social Security Office must be informed that the income is being counted for TANF purposes. The EW must document the case record to show that the Social Security office has been advised that the minor caretaker's parent's income is being counted for TANF purposes.\*

- b. Ineligible Alien Parent - If a parent living in the home with the eligible TANF child is an alien and is ineligible for assistance

\* 45 CFR 233.20(a)(3)(xviii)

for himself due to his alien status, the parent's income must be considered available to the eligible child(ren) by applying the deeming procedure in Section 305.4.F.2.c. below.

- c. Calculating the Deemed Amount - Federal regulations provide the following procedure for determining the amount of income to be deemed available to the **TANF** assistance unit from the senior parent(s) or an ineligible alien parent,\* or a stepparent when the parent is not residing in the home, but the stepparent and parent are married.

The amount to be deemed available is computed by subtracting the following from the verified anticipated gross monthly earned income (use net profit for earnings from self-employment) or gross unearned income of the senior parent(s), ineligible alien parent, or stepparent. **Note: The TANF Match Payment is not countable unearned income.**

**Example:** TANF recipient has an assistance unit of three (mother and two children). The mother reports she was married yesterday; however, her husband is not the father of her children. She reports he has earned income of \$550 a month. The AU also receives a TANF Match Payment of \$185. Continuing TANF eligibility is determined as follows:

Gross income:	\$ 550
	<u>- 90</u>
	\$ 460
	<u>- 174</u> (SON for 1 person Group II)
	\$ 286
	<u>- 0</u> (Support paid by the step dad)
	\$ 286

**\$286 < \$320 (SOA for 3) – AU remains eligible. TMP not considered.**

- 1) The first \$90 of gross earned income of each employed person.
- 2) The standard of need at 100% for household members claimed or who could be claimed as dependents on the senior parent's, stepparent's, or ineligible alien parent's federal income tax return, excluding members of the assistance unit.

Exceptions: The needs of an individual(s) who is not in the assistance unit due to a **VIEW** or IPV sanction, failure to comply with SSN requirements, failure to comply with the declaration of citizenship/alienage status requirement, or failure to cooperate with DCSE will not be allowed.

If the senior parent, stepparent, or ineligible alien parent has not previously filed a return or states that he will claim a different number of dependents for the current year, use the number of dependents he intends to claim for the current year.

Verify by statement from the senior parent, stepparent, or ineligible alien parent.

- 3) Support, including wage assignments paid to individuals not living in the home who are claimed or could be claimed as dependents on the senior parent's, stepparent's, or ineligible alien parent's federal income tax return.

If the senior parent, stepparent, or ineligible alien parent has not previously filed a return or states that he will claim a different number of dependents for the current year, use the number of dependents he intends to claim for the current year.

Verify by statement from the senior parent, stepparent, or ineligible alien parent.

- 4) Payments for alimony and child support including wage assignments to individuals not claimed on the senior parent's, stepparent's, or ineligible alien parent's federal income tax return and not living in the household.

Verify by statement from the senior parent or the ineligible alien parent.

The amount remaining after the above deductions will be counted as unearned income and deducted from the grant.

Failure of the client to verify the income of the senior parent or the ineligible alien parent will result in ineligibility of the case.

In situations where the income of a senior parent(s) is being deemed available to more than one assistance unit, the amount to be deemed will be divided equally among the units for which the parent(s) is responsible.

Note: A lump sum payment received by a senior parent or an ineligible alien parent is considered available to the assistance unit in the month of receipt only.

G. Other Cash Income - The total amount of all other cash income is to be counted. Specific procedures apply to certain types of other income:

1. Supplement to Standard of Assistance - In accordance with the option provided under federal regulations,\* the State Board has ruled that local departments of welfare/social services may supplement in an amount sufficient to meet the difference between the 90% payment standard and the 100% standard of need.

If a local department meets, from local funds, the difference between the proportionately reduced standard and the full standard, it must do so in all cases and the amount of the supplement is disregarded.

2. Assistance from other sources - Any contribution from another agency or organization must be counted as income unless such contribution is for an item not included in the Standard (See Section 304.1).

\* 45 CFR 233.20(a)(3)(vii)

3. Home Energy Assistance - Payments made directly to a household for home heating or cooling provided by suppliers of home energy, such as electric and gas companies and fuel oil dealers, must be counted as income.\* When payments are received jointly by a household composed of **TANF** and non-**TANF** individuals, including SSI recipients, the **TANF** assistance unit's pro rata share, based on the total number of persons in the household, must be considered as income to the **TANF** unit.

The pro rata share of non-TANF and SSI individuals is not to be counted.\*\* Note: Payments made through the Virginia Energy Assistance Program administered by local departments of social services are not considered home energy assistance and are disregarded per Section 305.4.A.16.

4. Public Assistance Benefits Received From Another State - It is possible for individuals who move from another state to Virginia to receive assistance from both states in the same month. However, the assistance paid by the state of prior residence must be considered in determining eligibility and benefit amount in Virginia. The amount of assistance received by the assistance unit from the former state is to be treated as unearned income in the month received.

Example 1: An applicant applies in Virginia on August 30 and receives a grant from Pennsylvania for \$100 in September which covers the period of the last week of August and the first week of September. If the assistance unit is eligible for assistance in September and the S0A is \$320, the \$100 of unearned income is subtracted from \$320, for a grant of \$220.

Example 2: A Group II locality receives an application on September 2 requesting assistance for a parent and two children. The family received a TANF grant from another state on September 1 for \$100 covering the period September 1-15, and the case is terminated in the former state effective September 15. The agency determines eligibility on September 10 (date of authorization). The first payment is calculated as follows:

\$320 - \$100	= \$220	- monthly deficit
\$220/30	= \$7.33	- daily rate
\$7.33 x 21 days	= \$153.93	- prorated deficit
\$153 grant		(rounded down)

5. Royalties are considered unearned income.
6. Interest earned on cash assets **in excess of \$10 a month**, such as a bank account or certificate of deposit, is considered unearned income in the month received (available) and a resource thereafter, unless anticipated to be received less often i.e., quarterly, annually, etc, in which case it may be prorated over the period earned if requested by the applicant/recipient. Policy in Section 305.1. B.2 is applicable in determining if the income is "reasonably certain" to be received and, if so, the methods available to use to calculate the anticipated amount. Exception: Interest accrued on exempted VIDA **or AFIA** funds is not countable income.

\* 45 CFR 233.20(a)(3)(xiv)

\*\* 45 CFR 233.53(c)(2)

- (c) Deduct \$30 from each individual's earned income if the working member of the assistance unit qualifies for this disregard. Limit this disregard to twelve consecutive months.
  - (d) Deduct one-third of the remainder of each individual's earned income if the working member of the assistance unit qualifies for this disregard. Limit this disregard to four consecutive months.
  - (e) Deduct anticipated expenses, up to the allowable maximum as specified in Section 305.3.B.6. for care of each incapacitated adult/child (if chosen) included in the assistance unit if the member qualifies for this disregard.
  - (f) Add any unearned income to the adjusted gross earnings. The result is net countable income. **Note: The TANF Match Payment is NOT countable unearned income.**
- Step (4)
- (a) Choose the appropriate Standard of Assistance for the applicant and all members of the assistance unit from the appropriate locality group (Section 304, Appendices 1 and 2).
  - (b) Subtract the net income, including any unearned income from the Standard of Assistance.
  - (c) If there is a deficit of \$9.99 or less, the assistance unit will be ineligible for a money payment; but the case will be deemed to be eligible for TANF and will be carried as an active TANF case.

TABLE OF CONTENTS

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) POLICY MANUAL

## Chapter 400 TANF Basic Requirements Regarding Application

Basic Requirements Regarding Application	401.1
Request for Assistance	401.1 A.
Where Applications are Made	401.1 B.
Definition of Applicant	401.1 C.
Who Completes the Application	401.1 D.
Time Standard for Processing Application	401.1 E.
Method of Application	401.1 F.
Date of Application	401.1 G.
Effective Date	401.1 H.
Beginning Date of Assistance (BDOA)	401.1 I.
Disposition of Application Under Special Conditions	401.1 J.
Initial Determination/Redetermination of Eligibility	401.2
The Intake Interview	401.2 A.
Substantiation of Eligibility Factors	401.2 B.
Face to Face Interview	401.2 C.
Recommendation Regarding Eligibility	401.2 D.
Decision of Eligibility	401.2 E.
TANF Initial Employability Assessment	401.2 F.
Renewal of Eligibility	401.3
Reevaluated Elements	401.3 A.
Face-to-Face Interview	401.3 B.
Joint Processing	401.3 C.
Overdue Renewals	401.3 D.
Establishing Separate Assistance Units	401.3 E.
When Completion of a New Application is not Required	401.3 F.
Suspension of Assistance	401.3 G.
<b>Interim Reporting</b>	<b>401.3 H.</b>
<b>Interim Report Filing</b>	<b>401.3 I.</b>
<b>Interim Report Evaluation</b>	<b>401.3 J.</b>
Notification to Applicant/Recipient	401.4
Action Requiring Adequate Notice	401.4 A.
Other Action Requiring Adequate Notice	401.4 B.
Action Requiring Timely Notice	401.4 C.
Information to be Given Applicant/Recipient	401.5
Impact on Medicaid	401.6
Transitional Child Care Benefits	401.7
Referral for Victims of Family Abuse	401.8
Income Eligibility Verification System (IEVS)	402.1

Entitlement to Services Policy	
Family Based Social Services	403.1
Child Health Screening Services	403.2
Protective Services	403.3
Foster Care	403.4
Employment Services	403.5
Child Care (Day Care) Services	403.6
Prevention and Reduction of Births Out-of-Wedlock	403.7
Other Services	403.8
Appendix I - Virginia Legal Aid Projects	
Appendix II - Voter Registration	

When the responsibility for obtaining verification has been assumed by the worker, the client must be advised that if the agency or person from whom verification has been requested does not respond to the request, eligibility cannot be established. In these situations, the Notice to Client of Action must be sent and the case record documented to reflect attempts made to obtain verification. Copies of all relative correspondence must also be in the case record.

If eligibility is established within the original 45-day processing time, the original application date is protected in the following instances: when an application is denied as a result of (1) excess value of real property or motor vehicles or (2) lack of required verification, the initial application date must be used if subsequent information which substantiates the applicant's eligibility or which reduces the value of disputed resources is provided within the original 45 day processing time. (See 401.3.F.5.)

## 2. Ongoing Eligibility

- a. **Interim Change Reports - When changes occur within the renewal period that affect eligibility or benefit amount, the agency must evaluate the change and take action to adjust the benefit amount, if necessary. The agency must make adjustments in entitlement and benefit amount based on reported changes and for changes the agency initiates.**

**The following changes must be reported by the assistance unit following case approval:**

- a) **Changes in address (a new physical or mailing address); and**
- b) **Changes in income that place the assistance unit's monthly income above 130 percent of the federal poverty level (FPL).**

**Assistance units must report the changes listed above within 10 calendar days from the date the unit knows of the change. If the change is not known until the end of the month, the change must be reported by the 10<sup>th</sup> of the following month, i.e., whether gross monthly income will exceed 130 percent of the FPL. The 10-day period begins the day the change becomes known to the assistance unit. If the assistance unit is uncertain of the exact date or the exact amount of income that has changed, the 10-day reporting period begins the day the change occurs. The change may be reported on the Change Report form (032-03-051) by telephone, face-to-face contact, by mail, or electronically. The unit may also report a change of its circumstances with the filing of the Interim Report. Changes may be reported by an assistance unit member or any person having knowledge of the assistance unit's circumstances. When the report is made by mail, it may not reach the local agency within the 10-day period. The assistance unit will have met the reporting**



requirement if the letter is postmarked within the 10-day period. Substantiation of eligibility factors or verification of any change requested by the worker must be provided by the recipient as soon as possible but no later than 10 days from the date the information is requested.

**When a change in income is reported or becomes known to the eligibility worker, the agency must redetermine eligibility.** If the recipient reports the change to any other person in the agency, the information must be shared with all other agency staff involved in the case.

**While the assistance unit is required to report only the changes indicated above, the agency must act on all information received.** Additional changes requiring review of a recipient's circumstances, may be initiated by:

- Information secured in the course of the periodic renewal of eligibility **or reported on an Interim Report;**
- Knowledge of an anticipated change; and,
- Information received from other sources, such as, but not limited to, systems matches.

Any change in circumstances reported by the client during the month should be documented in ADAPT and in the case record.

Action will be taken according to Section 305.1, page 11.

- b. Substantiation of Eligibility - The recipient must be advised of the need to substantiate eligibility factors whenever a change occurs in actual or expected income **that places the assistance unit's gross income (combined earned and unearned income) above 130 percent of the federal poverty level based on size of the assistance unit, when there is a change of address or other circumstances, at each renewal of eligibility and when a change is reported on an Interim Report.** When changes that affect eligibility or payment amount occur after the case has been approved, the responsibility for the change lies both with the recipient and the local agency.

If **required** verification is not obtained or provided in time to prospectively determine eligibility for the next payment or to complete a redetermination by the due date, continuing eligibility cannot be determined and the case will be suspended for one month only. If verification is still not provided, the case will be closed for the month following the month of suspension. (See 401.3.G.4.)

If verification is provided after the action to suspend has been taken, the worker will reinstate assistance for the month of suspension, if appropriate. Or, if verification which establishes continued eligibility is provided after action to

close has been taken but before the effective date of closure, the worker will reinstate assistance effective with the month closure was to occur.

- c. Adding Persons Required To Be in the Assistance Unit - The assistance unit must report a new unit member **when completing a renewal or Interim Report. If a new unit member enters the home between renewals or Interim Report filing, the report is considered timely provided the individual entered the home after the most recent renewal or Interim Report was completed. The** change to add a person required to be in the assistance unit must be made by the agency within 45 days following the date the **new member was reported.**

- 1) Eligibility for Payments - Once the agency has secured verification of categorical requirements and conditions of eligibility have been met, the individual's needs, income, and resources are to be included in determining eligibility and the amount of future payments.

If verifications and conditions of eligibility are substantiated within the 45-day time frame for adding persons or the 45-day period has passed and the agency can document that the delay in providing categorical verifications/meeting eligibility conditions was due to good cause (beyond the assistance unit's control), payments beginning with the date the **change was reported** must be recalculated considering the individual's needs, income and resources.

Regardless of whether the new individual's presence is reported timely, if the required categorical verifications are not provided or the conditions of eligibility are not met until after the 45-day time frame established for adding the individual, and the delay was not due to good cause (beyond the assistance unit's control), eligibility for retroactive payments is to be determined beginning with the date the last required verification was received by the agency or condition of eligibility was met. Any underpayments identified must be corrected.

The above procedures will require the proration of the first month's assistance in most instances. (Refer to Section 502.2.A.)

NOTE: Refer to 201.12 for the family cap provision which affects newborn children, some adopted children, and the child subject to the family cap provision who moves back into a parent's home.

- 2) Repayment of Overpayments - If the new individual **was not reported timely, overpayments may exist**. Follow procedures in Section 503.7.G. to calculate the amount overpaid.

Example: A **parent** enters the home on October 15 but is not reported to the agency until January 8 of the following year. **The last renewal was completed in November, one month after the child entered the home. All months beginning with the month after the child entered the home must be evaluated for possible overpayments.**

- d. Adding Other Persons - A request to add an individual not required to be in the unit, such as a caretaker-relative other than a parent or EWB, will be processed within the normal 45-day application processing time frame, with eligibility effective no later than the month following receipt of the request per Section 401.1.I.

3. Evaluation of Reported Information - To ensure the applicant/recipient has provided all information necessary for the worker to make a proper determination regarding eligibility, every element on the SOF must be discussed with the client at each application **or renewal**.

Additionally, when a change is reported by the client, all elements related to the change must be reviewed to ensure continuing eligibility exists.

When statements, either written or verbal, made by the client are deemed questionable, further evaluation of the client's circumstances is required. Questionable information will include, but is not limited to, statements which are:

- a. incomplete or unclear;
  - b. inconsistent with statements previously made by the applicant/recipient;
  - c. inconsistent with information known by the local agency.
4. Income v. Expenses - In situations where it is obvious the client's monthly expenses exceed verified income, the worker shall discuss with the client how monthly expenses are being met. The worker may not require verification of the client's expenses as a condition of eligibility. Furthermore, assistance may not be denied or terminated based solely on statements made by the client. Rather, the worker shall take this opportunity to explore the client's situation to determine if unreported income or resources are available which allow the assistance unit to meet monthly expenses.

\* 45 CFR 233.20(a)(1)(v)

The case record must be clearly documented to accurately reflect the client's substantiation of his/her situation. If the worker and the client are unable to resolve the client's circumstances, attempts to do so must also be documented in the case record. It is important to remember, however, that assistance can only be denied/terminated when income or resources are uncovered which, when verified, exceed prescribed limits or when the client acknowledges he/she has unreported income but refuses to verify the source and/or amount.

5. Follow-Up on Suspected Unreported Income - When the agency has reason to believe that a recipient is receiving income that has not been reported, the eligibility worker will follow-up on obtaining information to substantiate the recipient's circumstances. Community complaints, expenses exceeding income, a history of not reporting, and cases with individuals living with the assistance unit whose income would be deemed available are examples of the situations which may indicate the need to solicit additional income information. Forms are available in ADAPT that may be used for this purpose. The case record must be documented regarding the agency's reason for sending the income form. However, the income form is not an eligibility requirement; therefore, negative action cannot be taken for failure to return the form. If the agency chooses not to use the income form, the case record must contain documentation of the attempts to clarify the possibility of unreported income.

Resources - Workers should also monitor closely any situation in which the verified resources of the applicant/recipient are at or near the maximum resource limit. If the worker anticipates the value of the resources available to the assistance unit will exceed the resource limit prior to the next redetermination, a special review should be completed in the month it is anticipated the client's total resources will exceed the allowable reserve.

- C. Face-to-Face Interviews - A face-to-face interview by the eligibility worker is required at the time of initial determination and at least every **12** months thereafter. The face-to-face interview shall be used to obtain verification and to secure information necessary to complete the application/redetermination process. The interview may be conducted in the office of the local agency, the home of the applicant/recipient, or a place agreeable to both parties. Home visits may be deemed necessary or appropriate by the local department.

Practices Specifically Prohibited - The following practices are specifically prohibited:

- (a) Entering a home by force, without knocking or under false pretenses.
  - (b) Making home visits outside of working hours, unless such a visit cannot be arranged during working hours because of the applicant/recipient's employment, or a home visit has been requested by the applicant/recipient. When such visits are necessary, the case record must be documented accordingly. Making visits other than specified is not acceptable under any circumstances.
  - (c) Searching in the home, in closets, drawers or papers, etc.
- D. Recommendation Regarding Eligibility - The eligibility study must be completed as promptly as possible, but in all cases within the time needed to assure the assistance check, or notice of denial is mailed to the applicant within 45 days following the date of application.\* When the eligibility study is completed, the eligibility worker is responsible for making a recommendation of eligibility or ineligibility. The recommendation must be supported by the facts recorded in the eligibility case record.

\* 45 CFR 206.10(a)(3)

In the case of an individual added to an active case, the "TANF Initial Employability Assessment" must be completed within 90 days of the approved effective date. "TANF Initial Employability Assessment" forms must be filed in the TANF case record.

401.3 RENEWAL OF ELIGIBILITY - Eligibility for TANF recipients must be redetermined on all eligibility factors subject to change at least every **12 months, unless a shorter renewal period is required by Food Stamps.**

- A. A renewal of eligibility cannot be considered complete and the renewal date cannot be updated in ADAPT until the following requirements have been met:
1. All elements must be reevaluated and substantiated except date of birth; relationship, if the caretaker remains the same; citizenship; and social security number; or
  2. If all required elements have not been reevaluated and substantiated, assistance must be suspended in accordance with Section 401.3 G. The time limit on suspension of assistance (one month unless there is a different reason to suspend for a second month) is applicable to renewal suspensions.
  3. The month in which the renewal of eligibility is due to be completed **is counted from** the date of eligibility (include the month of initial eligibility in this computation) and any changes discovered during the review process should be reflected in the following month, unless such changes are prohibited by the time standards.
- Example:
- |   |  |
|---|--|
| Date of Application - July 3                          |  |
| Date of Approval - July 20                            |  |
| BDOA - July 20  |  |
| Renewal Due - <b>June</b> - Effective <b>July 1</b>   |  |
|   |  |
| Date of Application - July 10                         |  |
| Date of Approval - August 7                           |  |
| BDOA - August 1                                       |  |
| Renewal Due - <b>July</b> - Effective <b>August 1</b> |  |
|   |  |
| Date of Application - July 21                         |  |
| Date of Approval - September 5                        |  |
| BDOA - August 1                                       |  |
| Renewal Due - <b>July</b> - Effective <b>August 1</b> |  |
- B. A face-to-face interview must be completed with the recipient once every **12 months.**
1. A face-to-face interview may be conducted in the office of the local department of social services, the home of the recipient, or a place agreeable to both parties which will insure privacy and confidentiality. Home visits may be made as deemed necessary by the eligibility worker based on the recipient's circumstances. If a home visit is made, the eligibility worker must complete the redetermination interview using the Application for Benefits or the Eligibility Review form, Parts A and B.

2. The recipient's rights and responsibilities must be reviewed and explained.
- C. Joint Processing - The Food Stamp Act of 1977 requires that renewals for TANF and the Food Stamp Program be handled in a single interview when the following conditions exist:
1. When all persons in the case receive TANF and food stamps as the same household, and
  2. When the SOF is completed prior to the month or in the same month in which the certification period ends. (Refer to the Food Stamp Certification Manual, Volume V, Part II, H.) The provisions in Section 401.1.A. also apply to renewals.
- Joint processing is also required when conducting an Interim Report review. TANF and food stamp cases with the same case number will receive one Interim Report. Information provided must be used to determine both food stamp and TANF eligibility.**
- D. Overdue Renewals - In the event that a renewal of eligibility is not completed according to the above, the worker will adjust the time frame by scheduling the intervals at no later than **12** months from the month in which the application is completed. Example: The regularly scheduled renewal was due to be completed in January; however, it is not done until March to be effective April 1. The next renewal will be due in **March**.
- E. Establishing Separate Assistance Units - A new application must be completed when an individual or family separates from a family group which is receiving assistance and forms a separate assistance unit. The new application must be processed in accordance with policy.
- F. When Completion of a New Application Is Not Required
1. Adding an individual to an existing assistance unit. Verification of all eligibility requirements must be obtained on the new individual and an evaluation of the new assistance unit's need and eligibility must be made. (See 401.2 B.2.c. and d.)
  2. A guardian, committee, or personal representative payee is appointed or the payee changes. The new payee, identified as committee or personal representative, must sign a new SOF.
  3. Emergency Assistance is granted to a current recipient of TANF.
  4. The action to deny an application is reversed by a hearings decision.
  5. Action taken to deny an application or close a case as a result of excess value of real property or motor vehicles or lack of required verification is reevaluated as a result of information received by the worker within 45 days of the application date or prior to the effective date of closing and eligibility is determined to exist. (See 401.2.B.)

- G. Suspension of Assistance\* - The grant may be suspended for one month when the agency has reason to believe that ineligibility will exist for only that month. The grant may be suspended for two consecutive months only when the reason for suspension in the second month is different than the reason for the suspension in the first month. There shall be no instances in which a case is suspended for more than two consecutive months. If the information needed to establish continued eligibility is not provided or renders the case ineligible, the payment for the following month will be terminated and the case closed.

Suspension of a payment is appropriate when:

1. Actual income is being used to calculate the payment according to policy in Section 305.1.B.2. and it is anticipated the recipient will receive a periodic extra pay check in the payment month.
2. Anticipated income causes ineligibility for one month.
3. The agency cannot contact the client and contact is necessary to establish continuing eligibility and the client cannot be located or agency mail to the client has been returned by the post office. The case record must be documented on agency efforts to locate the client. Suspension shall occur as soon as administratively possible.
4. Information needed to verify a change in circumstances or to substantiate eligibility is not provided in time to impact the next payment. (See 401.2.B.2.)
5. The customer fails to appear for a renewal interview.
6. **The customer fails to return an Interim Report.**

Exception: The full grant is sanctioned (i.e., the case is eligible for \$0 grant) when a VIEW participant is not in compliance with VIEW work requirements. Since the TANF case is not closed for a VIEW sanction, the sanction is imposed by a suspension of the grant using the appropriate suspension code.

- H. Interim Reporting - Interim report filing is required for all cases, unless they are exempt from filing as noted below. Assistance units subject to interim reporting must file an Interim Report by the sixth month of the renewal period. The assistance unit composition and financial circumstances reported on the Interim Report will be the basis of the TANF benefit amount for the remainder of the renewal period, unless the assistance unit reports additional changes after filing the Interim Report.

1. Exemption from Filing

- a. All adult members of the assistance unit are elderly (60 years of age or older);

\* 45 CFR 233.34(d)



- b. All adult members of the assistance unit are disabled as evidenced by receipt of income payments, such as SSI or Social Security Disability payments. Refer to the Definitions Section of the Food Stamp Certification Manual for a complete list of persons considered disabled for purposes of interim reporting;
- c. All assistance units that are homeless (lack a fixed address and regular nighttime residence). Refer to the Definitions Section of the Food Stamp Certification Manual for a complete definition of persons considered homeless; and
- d. All migrant or seasonal farm workers (workers who had to travel to do farm work and who were unable to return to their permanent residences in the same day while doing farm work on a seasonal or temporary basis). Refer to the Definitions Section of the Food Stamp Certification Manual for complete definitions of migrant and seasonal farmworkers.

All other assistance units are subject to interim report filing.

- I. Interim Report Filing - An assistance unit that is required to file the Interim Report must have a 12-month renewal period. On or about the twentieth of the fifth month of the renewal period, the State Department of Social Services will create and mail the Interim Report to all assistance units so identified by the EW in ADAPT. Upon identifying cases due an Interim Report and producing the information for the Interim Report each month, the ADAPT system will suspend the case's eligibility. A list of cases sent the Interim Report and a copy of the Interim Report for the household will be available to the local agency through the Data Warehouse.

1. Client Responsibilities

The assistance unit must complete the Interim Report and return it to the local agency by the fifth day of the sixth month. If a change in circumstances is reported, the assistance unit must supply verification of the changed elements. The assistance unit must provide additional information or verifications as requested by the local agency within the time allowed. In TANF only cases, the caretaker (parent or specified relative with whom the child is living) or an authorized representative designated by the caretaker must complete the Interim Report. In joint TANF/Food Stamp households, the form may be completed and signed by any responsible household member or authorized representative.

## 2. Agency Responsibilities

The local agency must review the list of cases sent the Interim Report against the returned forms. If an assistance unit fails to return the form by the fifth day of the sixth month of the renewal period, the agency must send the assistance unit another form along with the Interim Report Form - Request for Action (032-03-649). The assistance unit will have 10 days from the mail date to return the second Interim Report.

J. Interim Report Evaluation - The agency must assess Interim Report forms received from assistance units. Note: The assistance unit does not need to submit verification of self-employment or contract income that has been averaged.

1. Interim Report Returned Timely - If the assistance unit returns the Interim Report timely and there are no changes in circumstances, the EW must rescind the suspension and reinstate the case in ADAPT. If there is a change in eligibility or grant amount as a result of information received on the Interim Report, the grant must be revised and an adequate notice sent.
2. Interim Report Not Returned Timely - If the returned Interim Report is incomplete or lacks required verifications of reported changes, the agency must send the Interim Report Form - Request for Action (032-03-649), and the original Interim Report to the assistance unit. The unit will have 10 days to supply information, verification, or to complete the form. The agency must photocopy the incomplete Interim Report before sending the form back to the assistance unit.

The agency must consider the report incomplete if:

- The form is not signed by an individual listed in Section 401.3.I.1;
- The unit fails to submit verification of changed income, resources, or residency;
- The unit fails to provide information needed to determine eligibility or benefit level; or
- The unit failed to address all questions.

If a completed Interim Report and required verification are returned within the 10-day time frame, the EW must make adjustments, as needed, to reflect information from the Interim Report in eligibility or benefit amount effective the seventh month. The EW must notify the assistance unit of the benefit calculation based on the Interim Report for the second half of the renewal period and act to reinstate the case in ADAPT after the evaluation of the Interim Report. The agency must provide an adequate notice to notify the assistance unit of the benefit calculation.

3. Interim Report Not Returned or Returned Incomplete - If the assistance unit fails to return the Interim Report or the follow-up Interim Report or if the assistance unit fails to provide needed verifications and the original Interim Report returned for completion, the EW must act to close the case effective the last day of the sixth month. The assistance unit will not receive benefits beginning with the seventh month. The agency does not need to send either an advance or an adequate notice when the assistance unit fails to submit a completed Interim Report or fails to take required actions or to supply requested verifications.

401.4 NOTIFICATION TO APPLICANT/RECIPIENT - Federal regulations require that adequate and timely notice be sent to applicants and recipients to indicate that assistance has been authorized, denied, increased, reduced, or terminated.

"Adequate" means that the notice is received not later than the effective date of the action and includes a written statement of what action the agency intends to take, the reason for the action and the specific policy supporting the action. In the case of an assistance unit which has no permanent dwelling or fixed address and is otherwise considered homeless, the notice must be available at the local agency or mailed to another destination agreed upon by the client, such as a nonprofit agency or shelter, local post office, etc., to ensure it will arrive at such destination not later than the effective date of the action.

"Timely" means that the notice is mailed, or available at the local agency in the case of an assistance unit which is homeless, at least ten (10) days before the effective date of the action, excluding the date of mailing and the effective date.

In certain situations timely notice is not necessary but adequate notice is always required.

A. Action Requiring Adequate Notice - Adequate notice must be sent to the applicant/recipient\* whenever:

1. Case action is taken to approve or deny an application or a request for an increase in grant; or
2. There has been a delay beyond the time standard in acting upon an application or a request for an increase in grant; or
3. Case action is taken to increase the amount of assistance; or
4. Case action is taken to include an additional eligible person in the grant or to change the number of eligible persons if no decrease in assistance results; or
5. Case action is taken to change the payee or the method of payment;
6. **An assistance unit is due a revised amount of benefits (increase or decrease) or the unit is ineligible for benefits based on the evaluation of a completed Interim Report.**

\*45 CFR 206.10(a)(4)

6. A reevaluation of eligibility based on information received within 45 days of the application date or prior to the effective date of case closing occurs.

The notice shall be sent immediately following the case action or at the expiration of the time standard for processing applications, as appropriate.

The Notice to Client of Action is used for this purpose. The notice shall state the amount of assistance; **the amount of the TANF Match Payment (when applicable)**; the reasons for the action or failure to act and the regulations supporting action taken; and explain the applicant's/recipient's right to request an agency conference and/or to appeal if he disagrees with the action. A copy of the leaflet, "Appeals and Fair Hearings," must be attached to the form if this information is not printed on the back of the form. Fill in the necessary information on the leaflet. (Refer to the Food Stamp Manual, Part XIX, Appendix I, for a list of legal aid offices in the state.) If the appeals and fair hearings information is on the back of the form, the worker must enter information about the local legal aid program on the front of the form.

- B. Other Action Requiring Adequate Notice - The form, Advance Notice of Proposed Action, will be used to provide adequate notice in certain situations, however, it is not necessary to send it 10 days prior to the effective date of the action. The notice must reach the client no later than the effective date of action. In any situation listed below, the assistance check will not be mailed in the original amount. The following situations would warrant an adequate notice.\*
1. The agency has factual information verifying the death of a recipient or of the payee when there is no relative available to serve as new payee and no person who can serve temporarily as emergency payee.
  2. The agency has verified that any member of the unit has been admitted or committed to an institution in which he does not qualify for public assistance.\* Note: See policy in 201.5.B to evaluate continued eligibility.
  3. The recipient's whereabouts is unknown and agency mail directed to the payee has been returned by the post office indicating no known forwarding address. (The recipient's check must, however, be made available to him if his whereabouts become known during the payment period covered by a returned check.)\*
  4. A recipient has been accepted for assistance in a new jurisdiction within the state and the locality previously providing assistance has written evidence establishing that fact.\*
  5. The agency has written evidence that the TANF child(ren) has been removed from the home as a result of a judicial determination or has been voluntarily placed in foster care by his legal guardian.\*

\* 45 CFR 205.10(a)(4)(ii)

6. A special allowance granted for a specific period (for example, correction of a prior underpayment) is terminated and the recipient has been informed in writing that the allowance shall automatically terminate at the end of the specified period.\*
  7. When a recipient requests termination of assistance in writing. Such request is made by written statement, signed and dated by the recipient. If the recipient fails to enter the date, the worker must enter the date such statement is received in the agency.\*
  8. When a recipient becomes a patient receiving skilled care, intermediate care or similar other long term hospitalization. Note: See policy in 201.5.B. to evaluate continued eligibility.
  9. When the customer provides a signed, written statement:
    - a) providing information which requires termination or reduction of assistance; and
    - b) indicating that the customer understands that action to reduce or terminate assistance must be taken in response to the information provided.\*
- C. Action Requiring Timely Notice - Federal regulations,\*\* require that in certain cases of proposed action to terminate, or reduce assistance, the Advance Notice of Proposed Action must be sent to the client. If a change requires both a reduction or termination in public assistance benefits and a reduction or termination in food stamp benefits, the local agency shall issue a single advance notice of proposed action for both the public assistance and food stamp action.\*\*\* Timely notice must be sent to the recipient whenever the case is determined to be ineligible and whenever the grant must be reduced based on a change in the circumstances reported by the client or from any other source.

When the proposed action is to sanction a case for noncompliance with the Virginia Initiative for Employment not Welfare (VIEW), advance notice must be given using the Advance Notice of Proposed Action, 032-03-018/21 (Intranet version). A copy of the notice must be sent to the Employment Services Worker to file in the VIEW record. (Refer to Chapter 1000, pages 58-66.)

\* 45 CFR 205.10(a)(4)(ii)  
\*\* 45 CFR 206.10(a)(4)(i)  
\*\*\* 7 CFR 273.12(f)(4)(i)

The following procedures are to be followed in preparing the Advance Notice of Proposed Action Form:

1. The form must be mailed to the recipient at least 10 days, whichever is deemed appropriate in accordance with the definition of "timely," before the action taken is effected.
  - a. When the action being taken is a reduction, neither the date of mailing nor the effective date is included in the ten (10) days.

Example: Advance Notice of Proposed Action is mailed on the 20th day of June, indicating reduction of assistance effective July 1.

- b. When action is being taken to suspend or terminate benefits, neither the date of mailing nor the date of nonissuance (the first day of the following month) is included in the 10 days.

Example: Advance Notice of Proposed Action is mailed on April 20, indicating that assistance will be terminated effective April 30.

2. The notice must include a statement of what action the agency intends to take.
3. It must include the reasons for proposed action. If the proposed action is to suspend assistance due to the inability to verify a change in the client's circumstances (see Section 401.2.B.2.), the Advance Notice of Proposed Action must also include a statement that if necessary verification is provided, assistance will not be reinstated if such verification renders the case ineligible.
4. The specific policy citation requiring the proposed action must be entered.
5. In cases of grant reduction, the new amount of the grant must be entered.

- D. Action Requiring TANF Match Payment Change Notice - A TMP change notice will be sent monthly to each TANF case scheduled to receive a TMP in the following month. The State Department of Social Services will send the change notice only to the assistance units actually affected by the change. The notice will include an explanation of fair hearing rights and responsibilities.**

**Assistance units must receive the notice no later than the benefit availability date.**

- E.** Refer to Sections 102.5, 102.8 and 102.13 regarding notice requirements relating to IPV policy and ADH procedures.

- F. Neither an advance notice nor an adequate notice is necessary when the assistance unit fails to return a completed Interim Report, provided the agency mailed the assistance unit an Interim Report Form - Request for Action form and another Interim Report or the original incomplete form.**

401.5 INFORMATION TO BE GIVEN APPLICANT/RECIPIENT -

In the process of determining eligibility, the worker must provide the applicant/recipient with the following information:

- a. The applicant/recipient's responsibility to provide accurate and complete information to the best of his ability.
- b. Information Regarding Timely Reporting of Changes\*
  1. Applicants are responsible for reporting required changes within 10 days of the date of the Notice of Action to approve. Required changes that occurred after the face-to-face interview, but before the Notice of Action to approve must be reported within this 10 day time frame.
  2. Recipients of TANF must report **income changes when the total income exceeds 130 percent of the federal poverty level based on assistance unit size at the time of approval or the Interim Report evaluation**, as outlined in **Section 401.2.B.2.**
  3. **All recipients are required to report address changes (a new physical or mailing address) within 10 days of the change.**
  4. **All VIEW participants are required to report changes in gross countable income of greater than 130 percent of the federal poverty level based on size of the assistance unit, other changes pertinent to participation in VIEW, including changes in the need for supportive services.**
  5. **All assistance units must complete an annual renewal, unless a shorter renewal period is required by Food Stamps. In addition, an interim report must be submitted by the sixth month of the renewal period.**

Examples of changes which could affect eligibility or amount of payment are:

- **Parent** returned home;
- **New or changed amount of earned or unearned income received;**
- Change in the number of family, child born **or entered home, individual left, person deceased;**
- Sold or received real property;
- Received cash resource/lump sum.

\* Code of Virginia, Section 63.2-513



**Applicants/recipients must be advised of changes not required to be reported that may increase benefits, such as loss of income and additional family members in the home.**

- c. Liability for failing to report changes.
- d. Methods of Reporting

The Notification of Change form must be given, with an explanation of its use.

Changes may be reported by telephone, in person, or in writing.

- e. The agency's responsibility to complete the application within 45 days from the date of application or make indicated changes in amount of payment as necessary.
- f. The applicant/recipient's right to appeal if action is not taken on his application or request for an increase within the required time period of if he is dissatisfied with the agency's action.

- t. Upon receipt of a notarized acknowledgement of paternity form, notify the applicant/recipient that paternity has been established.
- u. The applicant/recipient must be advised that if any individual who is included in the A.U. does not have a SSN it must be provided or proof of application must be provided.
- v. **The applicant/recipient must be advised that when current support, greater than \$50, is being collected by the Division of Child Support Enforcement, the TANF recipient may receive a TANF Match Payment per Section 304.4.**
- w. Provisions regarding continuation of DCSE services following the termination of assistance.
- x. The provisions described in Section 401.1.A. regarding the single interview and joint application process for TANF and food stamps must be explained to the applicant/recipient.
- y. Provisions for transitional child care benefits per Section 401.8.
- z. In situations where the assistance unit is homeless, the worker must explain the need for the caretaker to keep in contact with the local agency and/or frequently check the mutually agreed upon destination where correspondence and checks will be mailed. The case record must be documented to reflect where the unit wants to receive notices and checks.
- aa. Provisions of the family cap policy per Section 201.12.
- bb. 60-month limit on receipt of TANF provision.
- cc. The applicant/recipient's right to voter registration services in accordance with the National Voter Registration Act of 1993. Refer to Appendix II of Chapter 400 for applicable policy.

The worker must explain that certain contacts, when appropriate, require written consent (i.e., doctors, banks, etc.).

In addition to being given the above information orally, the applicant must be given the "Temporary Assistance Programs" booklet (Form #032-01-002), the "Virginia Medicaid Handbook," and the "Child Support and You" booklet (Form #032-01-945). A recipient who indicates at the time of the six-month review that he does not have a copy of the Temporary Assistance Programs booklet must be given a copy.

#### 401.6 IMPACT ON MEDICAID

See the Medicaid Manual, Volume XIII, to determine Medicaid eligibility for TANF applicants/recipients.

TABLE OF CONTENTS

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) POLICY MANUAL

## Chapter 500 - Authorization and Payment

Amount of Payment	502.1
In the Regular TANF Program	502.1 A.
In Emergency Assistance to Needy Families with Children	502.1 B.
Period Covered by Payment	502.2
In the Regular TANF Program	502.2 A.
In TANF-UP	502.2 B.
In Emergency Assistance	502.2 C.
Method of Payment	502.3
Designated Payee	502.4
Money Payments	502.4 A.
Vendor Payments	502.4 B.
Issuance of Payment	502.5
Issuance Date	502.5 A.
Multiple Checks	502.5 B.
Mailing of Checks	502.5 C.
Emergency Payments	502.5 D.
Intrastate Transfers	502.6
Transferring the Case	502.6 A.
Transfer Between Loudoun County DSS and other Local Agencies	502.6 B.
Handling of Appeals	502.6 C.
Medicaid Coverage	502.6 D.
Situations Affecting the Transfer Process	502.6 E.
Protective and Vendor Payments	502.7
Need for Protective and Vendor Payments	502.7 A.
Procedures for Making Protective or Vendor Payments	502.7 B.
Provision of Services	502.7 C.
Periodic Review of Need for Protective or Vendor Payments	502.7 D.
Termination of Protective and Vendor Payments	502.7 E.
Right of Appeal	502.7 F.
Safeguarding Information	502.7 G.
Definition of Improper Payment	503.1
Statutory Provisions for Refund of Overpayments and Payments to Ineligibles	503.2
Period Subject to Repayment	503.3
Computation of Repayment	503.4
Repayment Procedures	503.5
Waiver of Certain Overpayments	503.6
Overpayments Less than \$35	503.6 A.
Overpayments of \$35 or More	503.6 B.
Retention of Information	503.6 C.
Intentional Program Violations (IPV)	503.6 D.

Calculating Overpayments	503.7
Determination of Continued Eligibility	503.7 A.
Determination of When the Overpayment Began	503.7 B.
Impact on Earned Income Disregards When	
Calculating Overpayments	503.7 C.
Support Related Overpayments	503.7 D.
Income Related Overpayments	503.7 E.
Overpayments Not Related to Income	503.7 F.
Overpayments Resulting from Incorrect Composition	
Of the Assistance Unit	503.7 G.
Support Collected	503.7 H.
Localities Meeting 100% of Need	503.7 I.
 Recoupment and Recovery of Overpayments	503.8
Recoupment	503.8 A.
Recovery	503.8 B.
Responsibility for Overpayments	503.8 C.
Prompt Correction of Overpayments	503.8 D.
Determining Intentional Program Violation (IPV)	503.8 E.
Reporting Overpayments	503.8 F.
 Correction of Prior Underpayments	503.9
 Offsetting Overpayments and Underpayments	503.10
 Appendix I - Check Handling Information and Procedures	

## 502.1 AMOUNT OF PAYMENT -

A. In the TANF Program - The amount of the monthly payment is the amount of the budgetary deficiency (the appropriate standard of assistance for the assistance unit, as specified in Section 304, less countable income, as specified in Section 305), **plus the TANF Match Payment, if any**, adjusted to the next lower dollar, except as provided below:

1. Maximum Reimbursable Payment in TANF - Because of limitation in State funds in the TANF category, the State Board has approved for purposes of reimbursement to localities:

a. A ratable reduction in the standard of need for TANF.

b. An overall maximum amount of payment established for each group of localities, as shown in Appendix 2 to Section 304.

Any locality wishing to meet up to the full (100%) standard of need and/or to meet the full budgetary deficiency, even though in excess of the maximum reimbursable amount may do so provided (a) the full (100%) standard of assistance is not exceeded in determining need; (b) the additional cost is paid from local funds and (c) the percentage of need met and/or the policy with respect to payment are used in all cases in the locality.

**Note:** When a TANF Match Payment is included in the monthly payment, and the TANF benefit, plus the TANF Match Payment, exceeds the maximum for the assistance unit, the maximum will not apply and the full amount of the combined payment will be issued. However, the amount representing the TANF benefit must not exceed the maximum for the size of the assistance unit.

2. Hold Harmless Payment - A portion of the monthly TANF assistance payment which represents the amount of the support collection for a month up to the difference between the unit's deficiency and the maximum reimbursable payment.\* **This policy expires effective August 31, 2003.**

3. Minimum Payment - If the budgetary deficiency is less than \$10.00, no payment is made. However, if an assistance unit's ineligibility is based solely on this minimum payment provision, the case will be approved and retained as an active TANF case.

The minimum payment rule does not apply when a combined payment (monthly benefit plus TANF Match Payment) is issued. The check will be issued provided the combined payment is at least \$1.00.

\* 45 CFR 232.21

4. An emergency payee in an existing case, when a situation, such as sudden death, desertion, imprisonment, or commitment to a mental hospital, unexpectedly deprives the child of the care of the grantee-relative. Payment to an emergency payee is for a temporary period, limited to the time necessary to make and carry out plans for the child's continuing care and, in any event, not exceed three months.

B. Vendor Payment - The provider of goods and/or services.

#### 502.5 ISSUANCE OF PAYMENT

A. Issuance Date -

1. The monthly money payment, if effective the date of agency action, should be issued as soon thereafter as administratively possible. If effective the first of the following month, payment should be issued promptly on that date. Subsequent ongoing monthly payments will be mailed on the first of the month to cover the needs for that month.
2. Supplemental Payment - A supplemental payment is defined as a payment given in addition to the pre-authorized assistance payment as a result of a change in circumstances which increases need for a specific month.

Supplementary checks are to be issued immediately using an effective date of the first of the month for which the check is being written.

3. Vendor Payments are to be issued after the end of the month, upon receipt of a bill from the provider of goods or services. When protective vendor payments are made in **TANF**, under conditions specified in Section 502.7, it may be necessary in some instances to issue such payments at intervals during a month.
4. **TANF Match Payments** - **TANF Match Payments are defined as current child support paid on behalf of a case, less \$50. The Match payments are issued in the second month following receipt and are issued with the TANF benefits as a single payment.**

Example 1: In June the worker discovers that a child left the home in **August of the previous year. The child should have been reported no later than the last renewal or Interim Report filing which was in February. Overpayments must be calculated beginning with the March payment.** The overpayment amount is the difference between the grant received each month and the correct grant for the actual number of eligible members living in the household.

Example 2: In June 1993, a recipient is found to be joint owner of a certificate of deposit (CD) purchased in September 1992 by her grandfather, a non-unit member. The CD is valued in excess of the TANF resource limit. The recipient provides evidence that she was unaware of her joint ownership of the CD until her grandfather told her of its existence in March 1993.

In this situation the CD is considered unavailable for the months the recipient was able to demonstrate that she had no knowledge of the resource. From March 1993 forward, the resource is considered available to the assistance unit and must be counted in calculating overpayments.

G. Overpayments Resulting from Incorrect Composition of the Assistance Unit

When it is discovered that an individual required to be in the assistance unit is living in the home, it must be determined if an overpayment occurred. This determination is to be made as follows:

1. Redetermine eligibility for each month beginning with the month following the month the individual entered the home or was required to be in the assistance unit, including the individual's needs, actual income, and resources. Any resulting overpayments must be recouped/recovered.
2. If during the period in which the individual was required to be in the unit he had no income or his needs exceeded his income, an underpayment has occurred only for the months in which all categorical requirements were met and the conditions of eligibility are retroactively deemed to be met per Section 401.2.B.2.c. (See Section 503.9.)

H. Total support collected by DCSE, as identified on the Notification Report, must be deducted from TANF overpayments.

Example: A **\$354 TANF payment was made for the month of April which included a \$100 Match Payment. The amount subject to recoupment is \$254, minus total support collected by DCSE in April (the month the overpayment occurred), which was \$75; therefore, the April overpayment is \$179.**

I. In localities meeting the standard of need, only the standard of assistance State/federal share of the TANF overpayment is to be reported to Financial Management. Each locality is then responsible for recovery of the local share of the overpayment directly from the client.

J. Calculating a VIEW Overpayment - A VIEW overpayment occurs when a VIEW participant receives a payment or purchase on his behalf which is an amount greater than what he is eligible for or for which he is ineligible as a result of the client withholding or providing false information.

The worker must determine if the participant is still eligible for services and determine the correct cost of the services that the participant would continue to receive.

TABLE OF CONTENTS

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) POLICY MANUAL

## Chapter 600 - Support from Legally Responsible Persons

Support Enforcement Program	601.1
Legal Base	601.1 A.
DCSE Responsibilities	601.1 B.
Local Agency Responsibilities	601.1 C.
Referral of Case Information to Division of Child Support Enforcement	601.2
Referral of TANF Case	601.2 A.
TANF-UP Cases	601.2 B.
Changes to TANF and TANF-UP Cases	601.2 C.
Contact with the Absent Parent	601.2 D.
Automated Communication with DCSE	601.2 E.
Legally Responsible Persons	601.3
Husband	601.3 A.
Wife	601.3 B.
Parent, Natural or Adoptive	601.3 C.
Stepparent	601.3 D.
Out-of-Wedlock Father	601.3 E.
Redirection of Support Monies from Non-Custodial Parent	602.1
Treatment of Support	602.2
Support from Non-Custodial Parents Absent from the Home	602.3
Support from Responsible Persons in the Home	602.4
Minor Caretaker/Remarried Caretaker	602.4 A.
Stepparent	602.4 B.
Handling of Support Payments Collected by the State	602.5
Notification Report	602.5 A.
Appendix I - Information to be Given to Applicant/Recipient	
Appendix III - Support Enforcement District Offices and the Localities Within Districts	



602.1 REDIRECTION OF SUPPORT MONIES FROM NON-CUSTODIAL PARENTS - Federal regulations\* state that in cases where an assignment of support is effective, support payments shall be made to Support Enforcement. The assignment is effective upon case approval. Therefore, any child support, including court ordered support, paid to the assistance unit from the non-custodial parent subsequent to case approval must be redirected to Support Enforcement. Once this support is redirected, it will not be considered in determining the amount of payment, until such time as the net support, when added to other countable income, is sufficient to meet the total needs of the assistance unit.

**TANF recipients who have redirected all child support paid to the assistance unit from the non-custodial parent to the Division of Child Support Enforcement (DCSE) may be entitled to a TANF Match Payment. When current monthly child support collected by DCSE exceeds \$50, a TANF Match Payment in the amount that exceeds \$50 will be issued to the TANF recipient.**

MONTH 1	MONTH 2	MONTH 3
Non-custodial parent pays current monthly support of \$153 to DCSE. DCSE sends \$50 disregard to TANF recipient.	DSS receives DCSE's report showing total amount of current support collected to Division of Benefit Programs.	TANF Match Payment of \$103 issued to TANF recipient. (Recipients continue to receive \$50 disregard check.)

602.2 TREATMENT OF SUPPORT - The following sections will outline when support received from a non-custodial parent in cash or in-kind is to be considered available to the assistance unit and counted accordingly. The term "total needs" used in the following is the statewide standard of assistance. The local worker's responsibility is limited to determining the amount of support received by the applicant/recipient from non-custodial parents, and determining eligibility and amount of assistance payment based upon the policy set out below.

### 602.3 SUPPORT FROM NON-CUSTODIAL PARENTS ABSENT FROM THE HOME

During the initial determination of eligibility, the first \$50 of monthly child support received, or expected to be received, by the applicant will be disregarded in the eligibility screen and grant calculation. If the amount received or expected to be received is less than \$50, the entire amount is to be disregarded. All remaining support (net countable) will be considered as income for computing the amount of any payment made to the family for a period prior to the first assistance check. This procedure applies to A., B., C., and D. below.

If the family is determined to be otherwise eligible according to policy, assistance must be granted without delay. Child support received from non-custodial parents during the application processing stage, less the first \$50 of total support received, or expected to be received, will be considered as income to the A.U. for any payment made to the family for a period prior to case approval. The disregard of the first \$50 of child support is also applicable to support received, or expected to be received, from a putative father during the application processing stage. Additionally, this disregard will be applied to support from the putative father subsequent to case approval until the recipient redirects such support to the Division of Child Support Enforcement.

\* 45 CFR 302.32 (A)

- B. Absent Spouse of the Caretaker who is a Relative of the Specified Degree Other Than Parent of Eligible Children - Determine if the absent spouse of such caretaker is paying support and/or alimony and the amount contributed. If the amount being paid, when added to other countable income of the caretaker, equals or exceeds that individual's needs, the caretaker will be excluded in determining the amount of assistance payment. If the amount is insufficient when considered as above, the caretaker will be eligible to be included in the assistance unit. Support/Alimony received by the caretaker must then be combined with gross support being received from the absent parent of the eligible children. (See Section 305.4.E.2 regarding the calculation of the initial payment(s)). Future support/alimony payments received after case approval must be paid to the Division of Child Support Enforcement and this income will be disregarded. The amount of assistance payment will be computed based on total needs minus countable income, up to the maximum reimbursable amount. (Refer to 302.2.) If the caretaker is receiving alimony only, (support not commingled with child support) this is to be retained by the assistance unit and counted as income to the unit. The \$50 disregard is not applicable.
- C. Absent Spouse of the Parent of the Eligible Children - Support or alimony paid to an eligible child's parent in the assistance unit (this parent must be in the assistance unit unless one of the criteria in 302.6.D. exists) must be considered as income to the unit. Combine the support/alimony of the eligible child's parent with support received from the absent parent of the child. The first \$50 of total gross support received by the parent and eligible child(ren) will be disregarded in determining eligibility. If the net amount being received, when added to other countable income, equals or exceeds the appropriate standard of assistance, eligibility does not exist. (See Section 305.4.E.2 regarding the calculation of the initial month's payment(s)). If the amount is insufficient when considered as above, future payments received after case approval must be paid to Division of Child Support Enforcement and will be disregarded in determining the amount of the assistance payment. If the caretaker is receiving alimony only (support not commingled with child support) this is to be retained by the assistance unit and counted as income to the unit. The \$50 disregard is not applicable.
- D. Putative Father Absent from the Home - Cash contributions from a putative father, less the first \$50, will be counted as income against the grant, in the amount received by the assistance unit, until these contributions are redirected to the Division of Child Support Enforcement. (See 305.4.E.3. for treatment of cash contributions from putative fathers.) Once the contribution is redirected, the amount of the assistance payment will be computed based on the standard of assistance for the unit minus other countable income, up to the maximum reimbursable payment.

## 602.5 HANDLING OF SUPPORT PAYMENTS COLLECTED BY THE STATE

State and federal regulations require that all support paid for or on behalf of a child or caretaker receiving TANF must be directed to the State as a refund toward public assistance paid on behalf of such children or caretaker.\*

Federal regulations require the Support Enforcement agency to notify the agency administering the TANF program, of the amount of support collected which represents payment on the required support obligation for each month. The notification requirements are accomplished by the listing sent monthly to the local agencies titled Notification Report. This report shows support collected on the required support obligation by the State in the prior month and is furnished to the localities no later than 30 days after the month in which the support was collected. The local agency administering the AFDC program is required, upon being informed of this amount, to determine if such payment is sufficient to make the family ineligible for an assistance payment.\*\*

Federal regulations also require an amount not to exceed the first \$50 of support collected, which represents a payment on a current support obligation, to be paid to the assistance unit and disregarded in determining need and the amount of an assistance payment. If such amounts collected are from two or more absent parents, only the first \$50 of total support collected will be paid to the assistance unit and disregarded. No disregard payment, shall be made, however, for a month in which there is no support collected.\*\*

A. Notification Report

The Notification Report displays all support payments received on the required support obligation from non-custodial parents for the month identified on the report. **The amount of the TANF Match Payment (total current monthly support, minus the disregard) will also display on the Notification Report.**

This report must be reviewed monthly. The amount of support shown on the report should be used in two ways. First, add the support, less the support disregard, if applicable, to other gross income and screen against the maximum income level. (See Section 305.1 and Appendix 2 to 305). Secondly, if the case remains eligible, the agency must determine if the net support paid when added to any other countable income would cause the case to be ineligible. If the case is determined to be ineligible, action must be taken to close the case, based on the amount of net support collected.

\* 45 CFR 232.11

\* Section 63.1-273, Code of Virginia

\*\* 45 CFR 232.20

\*\* 45 CFR 302.32

Payments made to the State in a month which exceed the grant amount will be marked by an asterisk. The cases identified in this manner may be ineligible for assistance when net support is considered in relation to the maximum income level or in determining whether need exists in a particular case. It is the responsibility of the local agency worker to redetermine financial eligibility, based on the current circumstances of the case, and take appropriate action to close if net support plus any other countable income equals or exceeds need. In this situation, "current circumstances" is defined as the income counted in the grant computation in the month the notification report is received.

Example #1: A recipient received a \$79 grant in August due to receipt of \$128 per month in social security benefits. The notification report for July, received by the local agency on August 24, is used to determine a net support collection of \$150. As net support based on the July notification report, received in August, combined with income counted in the August grant exceeds need, the case must be closed effective September 30 (Group I Locality, 2 Person Assistance Unit).

Example #2: A recipient began work on July 15, and reported her employment on the same day. A prospective determination revealed the case would continue to be eligible for August. On August 24, the July notification report is received by the local agency and is used to determine a net support collection of \$150. Net support based on the July notification report, received August 24, is to be combined with income counted in the August grant to determine ongoing eligibility.

Therefore, once support is reported on the Notification Report the local agency must:

1. Review the notification listing, described above, on a monthly basis and when financial circumstances change.
2. Redetermine eligibility, by considering the net amount of support collected plus any other countable income, to determine if eligibility for an assistance payment continues to exist. **The TANF Match Payment is not considered in the redetermination of eligibility.**
3. If the case is determined to be ineligible, an Advance Notice of Proposed Action must be sent and action must be taken to close the case no later than the first of the second month after the month in which the notification list is received by the agency. Subsequent changes in the client's circumstances will not be considered. In the event action is not taken in the time frame just described, the agency must use the next report to determine continuing eligibility to adhere to the proper time frame.

TABLE OF CONTENTS

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) POLICY MANUAL

## Chapter 700- TANF-(UP) Unemployed Parent Program

Purpose of the TANF-UP Program	701.1
Categorical Requirements and Conditions of Eligibility Applicable to the TANF-UP Program	701.2
Assistance Unit TANF-UP	701.3
Financial Criteria	701.4

TABLE OF CONTENTS

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) POLICY MANUAL

## Chapter 800 - Diversionary Assistance Program

Purpose	801.1
Screening	801.2
Voluntary	801.3
Eligibility Factors	801.4
Determining the Amount of the Payment	801.5
Period of Ineligibility	801.6
Eligibility Determination Period	801.7
Vendor Payments	801.8

TABLE OF CONTENTS

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) POLICY MANUAL

Chapter 900 - The Virginia Initiative for Employment Not Welfare Program  
(VIEW)

Participation	901.1
Exemption Criteria	901.2
Responsibilities of the Eligibility Worker	901.3
Responsibilities of the VIEW Worker	901.4
Participation and Cooperation Requirements	901.5
Sanctions	901.6
VIEW Payment Calculation	901.7
Vehicle Value Limit	901.8
Twenty-four Month Limit for TANF Eligibility	901.9
Notice and Appeal of the Time Limit	901.10
Period of Ineligibility	901.11
Transfers	901.12
Transitional Benefits	901.13
Full Employment Program	901.14
Appendix I - TANF VIEW Grant Calculation	
Appendix II - VIEW Grant Calculation	
Appendix III - Federal Poverty Level	

VIEW participants do not have earned income screened at 185% and the standard of assistance. They may receive \$30 and 1/3 disregard, \$30 disregard, standard work deduction, and child or adult care costs as stated in 305.3 as disregards. The exceptions to allowing disregards in 305.3 also apply. When the TANF payment is suspended due to non-compliance with the VIEW program, the suspension does not interrupt the accumulation of the four consecutive months of the \$30 plus one-third disregard or the eight months of the \$30 disregard, and these months apply in the consecutive month count.

Example: A case has used 3 months of the \$30 and one-third disregard (July - September). The third VIEW sanction is imposed effective October 1. October counts as the fourth month of the \$30 and one-third disregard, and the \$30 disregard begins for November.

To calculate the VIEW payment (TANF grant), the eligibility worker must follow the steps in Appendix 1 to this chapter. **The TANF Match Payment is not considered in calculating the VIEW payment.**

The standard work deduction, the \$30 plus one-third of the remainder and the \$30 disregard are not applicable for a period of one month, in instances where the change in income is not reported timely per Section 305.1.F.1.a. (See Chapter 900, Appendix 2, page 5 for example.)

See Chapter 900, Appendix 1 for the VIEW Grant Calculation, Appendix 2 for VIEW Income Examples, and Appendix 3 for the Federal Poverty Level table.

A TANF recipient who enters the VIEW program erroneously, i.e. the recipient did not report earnings that he received or expected to receive prior to entering VIEW that would have made the case ineligible for assistance using the 185% and standard of assistance income screenings, must have continuing eligibility determined by using 185% and standard of assistance screenings (see Section 305.1.A.) If the case does not pass the 185% and standard of assistance screenings, the case must be closed as soon as administratively possible. If the case is eligible at the standard of assistance screening, the VIEW grant calculation is appropriate for the month following the month in which the earnings were reported to the agency. Overpayments should be calculated per 503.7.

Note: For a case that contains an individual who is a VIEW participant, the VIEW grant calculation applies to the total countable earnings of all required assistance unit members.

**901.8 VEHICLE VALUE LIMIT** - An assistance unit participating in the VIEW Program may own one motor vehicle with a fair market value not to exceed \$7,500 without becoming ineligible. Such a vehicle is exempt from the countable resource limit as long as the FMV does not exceed \$7,500. This vehicle remains exempt upon reapplication if the assistance unit becomes exempt from VIEW participation the FMV does not exceed \$7,500. However, for the assistance unit no longer participating in VIEW, any vehicle which replaces this exempt vehicle must be evaluated per policy in 303.3.B.

Additional vehicles the VIEW assistance unit may own must be evaluated per Section 303. Refer to 303.3.B regarding the determination of fair market value.



VIEW GRANT CALCULATION

STEP 1: Determine the total gross earned income of all required assistance unit members. Compare the total gross earned income to the Federal Poverty Level (see Federal Poverty Level Chart found in Appendix 3 of this Chapter) for the appropriate AU size. The federal poverty level is to be applied uniformly in all of the three groupings of localities in Virginia.

If the gross countable earned income equals or exceeds the federal poverty level, the case is ineligible.

If the countable gross earned income is less than the federal poverty level, go to STEP 2.

STEP 2: Determine countable unearned income and compare to the standard of assistance for the AU. **TANF Match Payments received are not considered countable income.** If the countable unearned income equals or exceeds the standard of assistance, the case is ineligible.

If the countable unearned income is less than the standard of assistance, the difference is the deficit amount. Go to STEP 3.

STEP 3: Use the gross earned income total of all required assistance unit members.

In the following order:

- a. Deduct the standard work deduction as defined in Section 305.3.B.4. per employed person from total gross earned income if the person qualifies for this deduction and the income is not exempted.
- b. Deduct \$30 from each individual's earned income if the working member of the assistance unit qualifies for this disregard. Limit this disregard to twelve consecutive months.
- c. Deduct one-third of the remainder of each individual's earned income if the working member of the assistance unit qualifies for this disregard. Limit this disregard to four consecutive months.
- d. Deduct anticipated expenses, up to the allowable maximum as specified in Section 305.3.B.6. for care of each incapacitated adult/child (if chosen) included in the assistance unit if the member qualifies for this disregard.

VIEW GRANT CALCULATION

Example 1 - Earnings

Assistance unit of 2 in a Group II locality. Mom **receives a TANF Match Payment of \$135**, earns \$450 gross monthly and is eligible for \$30 and one-third disregards. The monthly Federal Poverty Level for an assistance unit of 2 is **\$1,010**.

Step (1) - Screening at Federal Poverty Level

\$ 450.00 Gross Monthly Earnings <  
\$1,010.00 Monthly Federal Poverty Level for 2

Step (2) - Unearned Income

\$254.00 Standard of Assistance for 2  
- 0 Unearned Income  
\$254.00 TANF Deficit

**The TANF Match Payment does not impact the TANF deficit.**

Step (3) - Earned Income Disregards

\$450.00 Gross Monthly Earnings  
- 90.00 Standard Work Deduction  
\$360.00  
- 30.00 \$30 Disregard  
\$330.00 x one-third = \$110  
-110.00  
\$220.00 Net Earned Income

Step (4) - Add Net Earned Income and TANF Deficit

\$220.00 Net Earned Income  
+254.00 TANF Deficit  
\$474.00 < Federal Poverty Level

\$254.00 = VIEW Payment (TANF Grant)

Example 2 - Earned and Unearned Income

Assistance unit of 2 in a Group II locality. Mom earns \$300 gross monthly and is eligible for \$30 and one-third disregards. The assistance unit also received \$120 unearned income monthly.

Step (1) - Screening at Federal Poverty Level

\$ 300 Gross Monthly Earnings <  
\$1,010 Month Federal Poverty Level for 2

901.13 TRANSITIONAL BENEFITS - When a VIEW case closes, the family may be eligible for Medicaid **and** up to one year of, child care, transportation, and employment and training.\* **Receipt of Medicaid during the VIEW 12-month transitional period does not affect calculation of the 24-month period of ineligibility.** Eligibility criteria for transitional benefits are found in:

- A. Medicaid Manual Volume XIII, **Section M0320.306 (Low Income Families with Children (LIFC)) and M1520.500 (Extensions of Medicaid Coverage)**, for Medicaid;
- B. Child Care policy manual for transitional child care;
- C. TANF Manual, Chapter 1000, for transitional transportation **and transitional employment and training.**

901.14 FULL EMPLOYMENT PROGRAM - The Full Employment Program (FEP) is subsidized, training-oriented employment which replaces the TANF and Food Stamp benefits of a participant. The TANF grant and the Food Stamp allotment are diverted to a wage pool from which the employer is reimbursed up to the full amount of the combined benefits. The employer pays the recipient wages for hours worked through the employer's regular employee payroll.

- A. TANF GRANT DIVERTED TO WAGE POOL - The eligibility worker must suspend the payment to the recipient when notified by the VIEW worker of the FEP placement. The TANF grant amount that is diverted to the wage pool for the duration of the FEP contract months is "frozen" at the amount the assistance unit received in the first of the month payment for the month the VIEW worker places the recipient in FEP. The "frozen" grant means that the amount of the grant does not change during the FEP placement no matter what changes occur in the assistance unit. Diversion of the grant to the wage pool continues through the month in which the FEP placement ends.
- B. TANF ELIGIBILITY DURING FEP PLACEMENT - A participant will remain eligible for TANF for the period of the placement in the subsidized job. If a six-month redetermination is due anytime during the FEP placement, the eligibility worker must change the date of the review to coincide with the last month of the FEP placement. A redetermination must be done that month to determine eligibility for TANF after the placement ends.

The recipient is required to report changes during the FEP placement. The eligibility worker must update ADAPT with changes. If the six-month redetermination is not due the last month of the FEP placement, on-going eligibility must be prospectively determined for the month following the placement, taking into account any changes that occurred during the placement. Any wages received from employment that is no longer subsidized must be counted.

The eligibility worker cannot issue a payment to the recipient for any months included in the FEP placement. Only retroactive payments for a month prior to the FEP placement can be issued. Central Office Financial Management will issue the employer subsidy check and the recipient supplement (if appropriate) for months included in the FEP payment.

- 7) If the participant has a medical evaluation noting physical limitations, the worker and participant must design activities to accommodate the limitations indicated on the medical evaluation.
- B. The ESW must complete a new Activity and Service Plan at initial assessment, reassessment, or whenever there is a change to the participant's activity assignments. Modifications to the Activity and Service Plan or modifications to the Agreement of Personal Responsibility due to changes in assignments will not affect the TANF two-year time limitation.

## 6. SOCIAL/SUPPORTIVE SERVICE

Social/supportive services are provided to remove barriers to the individual's participation and to stabilize employment. The supportive services available are child care, transportation, (medical and dental, services) work related expenses and emergency intervention. Supportive services are provided as needed and available to support participation in orientation, assessment, approved self-initiated education, training and employment activities, or to accept or maintain employment. The provision of supportive services is contingent upon the availability of funds based on local VIEW allocations, and spending limits for such services will be the discretion of the agency. In such situations that limits are set, this should be stated in the SOP and applied equally for each participant. Agencies are encouraged to explore alternatives to removing barriers, if supportive service funds are limited. If supportive services are essential for participation, and neither the participant nor the agency can provide them, and no alternatives are available, the participant may not be sanctioned for noncompliance. In these situations, the participant will be placed in "Inactive" status, which will prevent the clock from counting against the 24 month and the 60-month time limit.

### A. Duration of Supportive Services

- 1) Supportive services may be purchased for as long as the participant is in a VIEW activity and the TANF case is open or if the TANF case is closed and the required number of job follow-ups have not been completed. If the supportive services consist of transportation see the instructions for transitional services on page 66.
- 2) Participants who enter full or part-time employment and continue to receive TANF or TANF-UP are eligible for supportive services. In the event of TANF case closure, all supportive services may be provided for 90 days or until the required job follow-ups are completed, whichever is longer.

Note: Transitional supportive services, for which a former participant may be eligible to receive for 12 months, are limited to transportation, child care, and employment and training.\* Workers are to inform clients how receiving transitional services will affect their period of ineligibility. When a participant receives transitional transportation it must be recorded in ESPAS. ESPAS can be accessed through the ADAPT Main Menu, Option 14. For detailed instructions refer to the ESPAS Manual, Chapter L.

### B. Employment Service Worker Responsibilities

- 1) The Employment Services Worker is a case manager. As part of his responsibility he assists the applicant/recipient in meeting his service needs. This may be done directly by the ESW or through a referral to a social worker or service provider.
- 2) When providing social services to recipients, the Activity and Service Plan form may replace the Service Application regardless of the funding source for the service or the

\*2002 Acts of Assembly, Appropriations, Item 354C

worker's salary.

### C. Supportive Services for Recipients

- 1) There are five types of VIEW supportive services that the local agency can provide directly or purchase. These services are child day care, transportation, medical/dental, program and/or work related expenses and emergency intervention. Participants who have been sanctioned are entitled to supportive services in order to maintain their employment. Participants who have been sanctioned **or found guilty of an Intentional Program Violation** may also receive supportive services when the participant is performing a verifiable act of compliance. See page 65, 13.A, for a list of verifiable acts of compliance.
- 2) If child day care or transportation services are needed but not available, recipients cannot be required to participate.
  - a. Child day care services are provided to enable the caretaker to gain and/or keep employment or to participate in program activities.
    - 1) Arrangement for and/or payment of child day care as a supportive service will be provided only when the participant is unable to obtain child day care on his own at no cost.
    - 2) Participants who are parents of school age children are expected to search for a job during the hours that the children are in school. However, if the interview must take place outside of school hours, child care may be authorized.
    - 3) Participants who need day care and cannot arrange to find their own may be provided assistance, including payment within child care policy as found in Volume VII, Section II, Chapter D. This payment may include child related transportation costs, child day care related transportation costs.
    - 4) If a participant finds employment and the TANF case is closed, child care may be provided through VIEW funds if the participant is not eligible for transitional day care. It may be provided for 90 days or until the required job follow-ups have been completed, whichever is longer, if employment continues. The chosen child care provider must meet the same approval criteria as established in child care policy, Volume VII, Section II, chapter D, of the Services manual.
    - 5) Participants who have been sanctioned are not entitled to child day care service while in the sanction status unless it is needed to maintain employment. However, an individual who has been sanctioned may receive child day care service upon request, if the service is necessary in order for the participant to perform a verifiable act of compliance.
  - b. For the purpose of providing supportive services in these circumstances, agencies will close the VIEW Enrollment Record in ESPAS due to the sanction. A Generic Case Document (GCD) will be opened for services that come under category 215, for example day care services. This is applicable as long as VACIS is operational.

### D. Transportation and Related Services

This service is provided to enable participants to travel to and from authorized VIEW activities or employment. The need must be linked to needs identified on the participant's Activity and Service

### 3. Community Work Experience

#### A. Purpose

Community work experience (CWEP) is a placement in which a participant works for his benefits in a public or private non-profit agency in order to improve his skills and serve a public function. The purpose of CWEP is to help prepare participants to obtain unsubsidized employment. A participant who is assigned to CWEP for more than three months should participate in a concurrent job search.

#### B. Eligibility Criteria

A participant who is unable to obtain unsubsidized employment, subsidized employment, or another work activity will be placed into a six month community work experience position.

#### C. Calculation of Work hours

The number of weekly work hours will be calculated in the following manner:

- (1) Divide the TANF household's combined total dollar amount of TANF benefits received by the federal minimum wage. Divide the result by 4.3 to determine the required hours per week for CWEP participation. Include in the calculation only the benefits belonging to the TANF household. Food stamps received by individuals in the household who are not included in the TANF grant will not be counted in the calculation. **TANF Match Payments received will not be counted in the calculation.** For TANF-UP cases, the entire benefit amount, combined total dollar amount of TANF and food stamp benefits, available in a CWEP calculation will be used for each participant. If both mandatory TANF-UP participants are placed in CWEP, they both will be required to participate the required number of calculated hours. For example, if the calculation requires 25 hours of participation, each individual will be in CWEP for 25 hours a week, for a total household participation of 50 hours per week.
- (2) No participant will be required to work more than 32 hours a week.
- (3) The calculation of the hours to be worked weekly will be made every six months by the ESW and when there is a change in the assistance unit.

- b. For failure or refusal to complete and/or return forms or other information to the agency by a required date - returning and/or completing the required form or other information.
  - c. For failure or refusal to begin, to continue in or participate in an assigned activity - beginning, continuing in or participating in an activity for up to two weeks to show a good faith effort to comply.
  - d. For failure or refusal to complete an assignment (example: job search) - completing an assignment.
  - e. For failure or refusal to obtain or accept employment – if the client obtains employment during the sanction, the employment must be maintained through the end of the sanction period.
  - f. If the assignment from which a participant has been sanctioned is no longer available or appropriate, compliance may consist of participating in or completing a different activity.
- B. Once the participant has performed a verifiable act of compliance, the sanction is lifted retroactive to the date the participant agreed to comply and subsequently did comply as agreed upon by the participant and the worker. The Activity and Service Plan should reflect the activity and the date by which the activity is to be completed. This date cannot be prior to the end of the fixed sanction period.

#### 14. TRANSFERS

- A. The ESW will transfer within five working days from the date of notification, the entire VIEW record of TANF or TANF-UP participant who moves from one locality to another.
- B. All attempts should be made to transfer the benefits and the VIEW records together.
- C. All service supplements should be updated and closed prior to case transfer.
- D. When a VIEW case with no earned income and not in sanction transfers to another agency, the VIEW clock and the 60-month clock stop until such time as the VIEW worker does an assessment and the clocks re-starts the first of the following month. The receiving agency is responsible for adjusting the clocks.
- E. When a case with earnings or one which is in sanction transfers to another agency, the clock continues.

#### 15. TRANSITIONAL SUPPORTIVE SERVICES

Transitional services are designed to facilitate stability of a former VIEW participant once he leaves TANF, either because he has reached the end of the two-year time period, or when his TANF case closes for other reasons. Workers are to inform clients how receiving transitional services will affect their period of ineligibility. Transitional services available are transportation, child care, Medicaid and employment and training.\* Eligibility for transitional services starts the first day of the month after TANF case closure and continues through the last day of the 12<sup>th</sup> month after TANF case closure. In the event the TANF case is closed and the six months job follow-ups have not been completed and the client is receiving assistance with transportation, the services will be transitional transportation. After the required six job follow-ups have been completed, the VIEW record must be closed. Former VIEW recipients may **be eligible to receive Medicaid**. Transitional services may be provided to either or both of the TANF-UP parents, provided one of them participated in VIEW at TANF case closure.

\*2002 Acts of Assembly, Appropriations, Item 354C

VIEW FORMS

Texas Information Sheet (032-02-311).....	3
Agreement of Personal Responsibility (032-02-310/2) .....	6
Assessment (032-02-303/1) .....	9
Activity and Service Plan (032-02-302/2) .....	13
Job Search Form (032-02-301/1) .....	16
Full Employment Agreement (032-02-309/1) .....	20
Full Employment Agreement II (032-02-309A) .....	21
Community Work Site Agreement (032-02-308) .....	23
Work Site Position(s) (FEP or CWEP) (032-02-306).....	25
Referral to Work Site (FEP or CWEP) (032-02-300).....	27
Attendance/Performance Rating Sheet (032-02-305) .....	29
Full Employment Program Work Sheets:	
Employer Subsidy Calculation for Full Employment Agreements (032-02-312/1) .....	31
Monthly Client Supplemental Payment Worksheet (032-02-313/1).....	32
Monthly Employer Subsidy Worksheet (032-02-314/1).....	33
Monthly Employer Invoice (032-02-315/1).....	34
Targeted Employer Grant (TAG) Application (032-03-374/1) .....	36
Targeted Employer Grant (TAG) Program Agreement (032-03-372).....	38
Targeted Employer Grant (TAG) Program Certification of Participant Placement (032-03-373) .....	40
Notice of Sanction/Termination (032-02-307/1) .....	42
Hardship Exception Determination (032-03-376/2) .....	44
Notice of Hardship Exception (032-03-377) .....	47
Contact Sheet (032-02-078/5).....	49
Communication Form (032-02-072/6).....	50



**VIEW AGREEMENT OF PERSONAL RESPONSIBILITY  
032-02-310/2 (7/00)**

**PURPOSE OF FORM** - This form provides written documentation of the acceptance of personal responsibility by the participant for participating in the VIEW program. The VIEW Agreement of Personal Responsibility must be completed at the initial assessment **and each subsequent referral to VIEW**. The form documents the begin date and scheduled end dates of the VIEW participant's 24 months of receipt of TANF.

**USE OF FORM** - This form is used by the agency to record the information discussed with the participant concerning the individual's responsibilities while in the VIEW program. The form must be completed and signed before **VIEW** participation may begin.

**NUMBER OF COPIES** - One original and one copy.

**DISPOSITION OF COPIES** - Original - Case Record  
Copy - VIEW Participant

**INSTRUCTIONS FOR COMPLETING THE FORM** - The worker/case manager must discuss this form in its entirety with the participant at the time of initial assessment. This form must be signed by the participant before the participant enters the VIEW program.

Refusal by the VIEW participant to sign this agreement will result in loss of TANF / TANF -UP benefits and **may affect Food Stamp benefits. If the participant refuses to sign the agreement, the employment services worker is to check the second box, sign the form, date it, and file it in the case record.**

**If a VIEW participant leaves the program prior to the end of the 24-months of eligibility for TANF and subsequently returns, the participant must sign a new Agreement of Personal Responsibility, with the remaining eligibility period indicated in the "VIEW ELIGIBILITY PERIOD" section.**

7/03

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF SOCIAL SERVICES  
VIEW PROGRAM

Participant Name: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Case ID#: \_\_\_\_\_

☐ Assessment  
☐ Reassessment

☐ TANF ☐ TANF-UP

## VIEW ASSESSMENT I

### A. EDUCATIONAL BACKGROUND

Last Grade Completed \_\_\_\_\_ Date \_\_\_\_\_ Functional Ed. Level \_\_\_\_\_ Date \_\_\_\_\_

Other (test results, date given, type, etc.): \_\_\_\_\_  
\_\_\_\_\_

Other training/special schooling and dates: \_\_\_\_\_  
\_\_\_\_\_

### B. EMPLOYMENT HISTORY\* (*Begin with the most recent job*):

1. Employer \_\_\_\_\_ Job Title \_\_\_\_\_  
Duties \_\_\_\_\_  
Date Started \_\_\_\_\_ Date Left \_\_\_\_\_ Highest Pay \_\_\_\_\_  
Reason for leaving \_\_\_\_\_
2. Employer \_\_\_\_\_ Job Title \_\_\_\_\_  
Duties \_\_\_\_\_  
Date Started \_\_\_\_\_ Date Left \_\_\_\_\_ Highest Pay \_\_\_\_\_  
Reason for leaving \_\_\_\_\_
3. Employer \_\_\_\_\_ Job Title \_\_\_\_\_  
Duties \_\_\_\_\_  
Date Started \_\_\_\_\_ Date Left \_\_\_\_\_ Highest Pay \_\_\_\_\_  
Reason for leaving \_\_\_\_\_
4. Employer \_\_\_\_\_ Job Title \_\_\_\_\_  
Duties \_\_\_\_\_  
Date Started \_\_\_\_\_ Date Left \_\_\_\_\_ Highest Pay \_\_\_\_\_  
Reason for leaving \_\_\_\_\_

\*(NOTE: This information will be used to identify jobs into which participants may be placed immediately.)

Most favorite job? \_\_\_\_\_ Why? \_\_\_\_\_  
Least favorite job? \_\_\_\_\_ Why? \_\_\_\_\_

### C. VOLUNTEER WORK/HOBBIES/ABILITIES (Transferable Skills): \_\_\_\_\_

\_\_\_\_\_

7/03

## VIEW ASSESSMENT II

- A.**
1. Do you have a current driver's license? \_\_\_\_\_
  2. Do you have access to a car? \_\_\_\_\_ If not, what do you do for transportation? \_\_\_\_\_  
\_\_\_\_\_
  3. Have you ever been convicted of a crime? \_\_\_\_\_  
Explain \_\_\_\_\_
  4. Do you have an illness or disability (as diagnosed by a doctor) that would prevent you from accepting a job? \_\_\_\_\_ Explain \_\_\_\_\_
  5. What type of child care would you arrange to help you accept a job? \_\_\_\_\_
  6. Have you registered with the Virginia Employment Commission? \_\_\_\_\_  
If so, when was the last time you contacted the VEC? \_\_\_\_\_
  7. Have you registered with any other employment service? \_\_\_\_\_  
If so, give the name and last date of contact. \_\_\_\_\_
  8. Are you scheduled to begin an education or training program in the next sixty (60) days? \_\_\_\_\_  
If so, where? \_\_\_\_\_

**B.** Which of the following are barriers to your finding and/or keeping a job? (Check all that apply):

- |   |                                       |  |
|---|---------------------------------------|--|
| <input type="checkbox"/> Family Circumstances | <input type="checkbox"/> Homeless     | <input type="checkbox"/> Substance Abuse |
| <input type="checkbox"/> Legal/Criminal       | <input type="checkbox"/> Child Care   | <input type="checkbox"/> Transportation  |
| <input type="checkbox"/> Other: _____         | <input type="checkbox"/> Family Abuse |  |

List ways that you can help to overcome each barrier checked:

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**C. CONSIDERATIONS IN EMPLOYMENT PLANNING:**

- |  |  |
|--|--|
| <input type="checkbox"/> No prior Work History/Intermittent Work History | <input type="checkbox"/> Homeless        |
| <input type="checkbox"/> Lack of Credentials/Certifications              | <input type="checkbox"/> Child Day Care  |
| <input type="checkbox"/> Limited English Speaking/Reading Ability        | <input type="checkbox"/> Migrant Worker  |
| <input type="checkbox"/> Lack of Transportation                          | <input type="checkbox"/> Legal/Criminal  |
| <input type="checkbox"/> Lack of GED                                     | <input type="checkbox"/> Family Abuse    |
| <input type="checkbox"/> Lack of Job Skills                              | <input type="checkbox"/> Substance Abuse |
| <input type="checkbox"/> Disability _____                                |  |
| <input type="checkbox"/> Other _____                                     |  |

**D. JOB INTERESTS/EMPLOYMENT GOAL:** \_\_\_\_\_

GENERAL COMMENTS/SUMMARY:

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7/03

## VIEW ASSESSMENT

FORM NUMBER - 032-02-303/1

**PURPOSE OF FORM** - This form is initially completed at the time of the VIEW assessment interview. The form records information concerning the VIEW participant's educational background, employment history, interests and abilities, and employment goals. This form will also be updated at reassessment interviews.

**USE OF FORM** - The information on this form is used to assess the job readiness of the VIEW participant and serves as a foundation for development of the VIEW participant's Activity and Service Plan (032-02-302). This form will be used after the initial assessment process to record dated information of the VIEW participant's educational background, employment history, abilities, and employment goals. Information added after the initial assessment needs to be dated as to MM/DD/YY of entry. Should the information on this form change significantly during the course of the program participation or should there be no more room on the form for recording updated information, is appropriate for a new form to be completed.

**NUMBER OF COPIES** - Original only.

**DISPOSITION OF COPIES** - Original will be maintained in the VIEW participant's case record.

### INSTRUCTIONS FOR PREPARING FORM

#### Page 1

Identifying Information/Date/Type of Assessment/Category - Date is MM/DD/YY assessment or reassessment is conducted. Check the appropriate block to indicate "Assessment" for initial assessment or "Reassessment" for reassessment interviews.

- A. **EDUCATIONAL BACKGROUND** - Information about the last school attended and last grade completed is obtained from the VIEW participant during the assessment interview. The worker/case manager will use this part of the form to record functional education level testing. Record any training, special schooling or post secondary education. Be sure to include dates attended and any certification(s) or degree(s) obtained. Information about test results may be recorded at the time initial assessment, if known, or may be added at the time of reassessment.
- B. **EMPLOYMENT HISTORY** - The "Employment History" section provides a chronological listing of the VIEW participant's employment. Information about the VIEW participant's duties on the job, reasons for leaving, and job preferences are important for employability planning and merit through discussion.
- C. **VOLUNTEER WORK/HOBBIES/ABILITIES** - In this section, include any information which could assist the on-going employability planning process. This information will be particularly useful in assessing VIEW participants with limited skills/employment histories.

7/03

**VIEW ASSESSMENT  
(Cont'd)**

Page 2

This page of the Assessment Form is designed to be completed either by worker/case manager or the VIEW participant.

SECTION A - These questions are designed to help the VIEW participant think about some of the things which will affect his employability as well as his ability to be self-sufficient. Each question needs to be completed as thoroughly as possible and discussed with the VIEW participant at the time of the interview.

SECTION B - This section is designed to allow the VIEW participant to acknowledge things which may impact his progress toward self-sufficiency. If problems are identified, the VIEW participant has an opportunity to decide for himself how these problems may be resolved.

SECTION C - This section is designed to help the worker/case manager identify major considerations in planning with the participant. This is a list of potential obstacles to the VIEW participant's achieving employment. In discussing employability planning with each VIEW participant, this list will enable the worker to identify these obstacles and to discuss how the VIEW participant and the worker/case manager will cooperatively endeavor to remove them.

SECTION D - This section is designed to record an employment goal or area of job interest after careful evaluation of discussion about all of the information gathered during the interview.

GENERAL COMMENT/SUMMARY - This section is designed for the worker/case manager to record any additional information not addressed on the form.

## ACTIVITY AND SERVICE PLAN

FORM NUMBER - 032-02-302/2

**PURPOSE OF FORM** - This form outlines a strategy designed by the worker/case manager and the VIEW participant to achieve long and short term goals in working toward employment as decided upon during the initial assessment and recorded on the Assessment Form (032-02-303). It details specific activities to which the participant will be assigned and identifies any service needs during assignments to these activities.

**USE OF FORM** - This form is prepared initially at assessment and at the time of each reassessment. Activities on this form will correspond to entries in the automated system. A copy of this form may serve as the Service Application.

**NUMBER OF COPIES** - One original and two copies

**DISPOSITION OF COPIES** - Original - Case Record

1st copy - VIEW Participant

2nd copy - Service Worker

### INSTRUCTIONS FOR PREPARING THE FORM

**PLANNED COMPONENTS ASSIGNMENTS** - This section is designed to list the components to which the VIEW participant will be assigned during the course of program participation. This information in its entirety needs to be completed at the initial assessment and at each assessment.

**CURRENT PROGRAM ACTIVITY ASSIGNMENT** - This space is provided for the worker/case manager to list the current component assignment(s) along with planned location dates and hours. VIEW participants may be assigned to no more than two components at a time. The information on this list will correspond with information at the top of the form and on the Service supplement. Any assignment to pending or inactive needs to be explained in the space provided.

**SUPPORTIVE SERVICES** - Any services needed by the VIEW participant to engage in the program activities listed will be identified in this section of the Activity and Service Plan.

**PARTICIPANT RESPONSIBILITIES** - Outline the specific steps the VIEW participant is required to take in order to comply with program requirements. The amount of detail needed in this section will be determined by the worker/case manager on a case by case basis.

**AGENCY RESPONSIBILITIES** - Outline the responsibilities the agency will assume to assist the participant in carrying out the activities identified.

**PARTICIPANT OBLIGATIONS** - By signing this section of the form, the VIEW participant indicates they have participated in the planning for activities described, and they understand their responsibilities as a VIEW program participant.

7/03

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF SOCIAL SERVICES  
VIEW PROGRAM

Participant Name: \_\_\_\_\_  
Case No.: \_\_\_\_\_  
Job Search Policy: \_\_\_\_\_

### VIEW JOB SEARCH FORM

**IMPORTANT!** YOU HAVE BEEN ASSIGNED TO JOB SEARCH. USE THIS FORM TO RECORD THE CONTACTS YOU ARE REQUIRED TO MAKE WITH EMPLOYERS WHILE YOU ARE LOOKING FOR A JOB. IF YOU DO NOT COMPLETE THIS FORM AND RETURN IT TO YOUR CASE MANAGER, YOUR TANF OR TANF-UP MAY BE TERMINATED!

**REMEMBER YOU MUST:**

- Have a face-to-face interview and/or leave a job application and/or a resume with at least \_\_\_\_\_ employers during the next four(4) weeks.
- Accept suitable job offers.
- Notify your case manager as soon as you get a job.

Complete the bottom of this form and:

- ☐ Return this form by \_\_\_\_\_ to \_\_\_\_\_
- ☐ Keep the interview scheduled with your case manager and bring your completed form for:  
\_\_\_\_\_ at \_\_\_\_\_ at \_\_\_\_\_  
Date Time Address

CASE MANAGER: \_\_\_\_\_ PHONE: \_\_\_\_\_

**EMPLOYER CONTACT LIST:**

These contacts may be verified by your case manager. You do not need to get the signatures of the employers you contact. To count as a contact, you must have a face-to face interview or leave an application and/or a resume.

YOUR CONTACTS	DID YOU: ( <i>Check any that apply</i> )
Company: <u>VIRGINIA EMPLOYMENT COMMISSION</u> Address: _____ Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register: <input type="checkbox"/> Submit a Resume: <input type="checkbox"/> Interview: Result of Contact: _____
Company: _____ Address: _____ Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register: <input type="checkbox"/> Submit a Resume: <input type="checkbox"/> Interview: Result of Contact: _____
Company: _____ Address: _____ Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register: <input type="checkbox"/> Submit a Resume: <input type="checkbox"/> Interview: Result of Contact: _____
Company: _____ Address: _____ Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register: <input type="checkbox"/> Submit a Resume: <input type="checkbox"/> Interview: Result of Contact: _____

7/03

Company: _____ Address: _____  Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register: <input type="checkbox"/> Submit a Resume: <input type="checkbox"/> Interview:  Result of Contact: _____
Company: _____ Address: _____  Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register: <input type="checkbox"/> Submit a Resume: <input type="checkbox"/> Interview:  Result of Contact: _____
Company: _____ Address: _____  Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register: <input type="checkbox"/> Submit a Resume: <input type="checkbox"/> Interview:  Result of Contact: _____
Company: _____ Address: _____  Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register: <input type="checkbox"/> Submit a Resume: <input type="checkbox"/> Interview:  Result of Contact: _____
Company: _____ Address: _____  Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register: <input type="checkbox"/> Submit a Resume: <input type="checkbox"/> Interview:  Result of Contact: _____
Company: _____ Address: _____  Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register: <input type="checkbox"/> Submit a Resume: <input type="checkbox"/> Interview:  Result of Contact: _____
Company: _____ Address: _____  Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register: <input type="checkbox"/> Submit a Resume: <input type="checkbox"/> Interview:  Result of Contact: _____
Company: _____ Address: _____  Type of job: _____ Person Contacted: _____ Date of Contact: _____	<input type="checkbox"/> Register: <input type="checkbox"/> Submit a Resume: <input type="checkbox"/> Interview:  Result of Contact: _____



## **JOB SEARCH FORM**

FORM NUMBER - 032-02-301/1

**PURPOSE OF FORM** - This form provides written documentation of the VIEW participant=s job search contacts.

**USE OF FORM** - This form is used by VIEW participants to record employer contacts and outcomes during assignment to a job search component.

**NUMBER OF COPIES** - Original

**DISPOSITION OF COPIES** - Original becomes a part of the case record when the VIEW participant completes job search and returns the form.

**INSTRUCTIONS FOR PREPARING FORM** - The first section of the form is completed by the worker/case manager, and the information is discussed with the VIEW participant.

The “Employer Contact List” is completed by the VIEW participant. The first lines in this section are to record the mandatory registration/contact with the Virginia Employment Commission. At the end of the job search assignment or at a time designated by the worker/case manager, the form is returned to the agency. The worker/case manager will explain to the VIEW participant how the form is to be returned. Employers are not required to sign the form.

The VIEW participant will sign the end of the form indicating that the contacts have actually been made. A statement on the form cautions the VIEW participant that the worker/case manager may contact the employer to verify the contact.

7/03

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF SOCIAL SERVICES  
VIEW PROGRAM

Employer Agreement Number \_\_\_\_\_

### VIEW FULL EMPLOYMENT AGREEMENT

THIS AGREEMENT WILL BE KNOWN AS A FULL EMPLOYMENT PROGRAM AGREEMENT.

\_\_\_\_\_(local agency),  
\_\_\_\_\_(employer), and  
\_\_\_\_\_(participant)

enter into this agreement of understanding between the agency and the employer regarding the training of

\_\_\_\_\_(participant ) by the employer. The participant under-  
stands that he will be employed as \_\_\_\_\_(job title) and the training-  
oriented employment will last for \_\_\_\_\_months beginning on \_\_\_\_\_and  
ending \_\_\_\_\_. During this period \_\_\_\_\_will learn the following  
skills: \_\_\_\_\_

\_\_\_\_\_. The participant will also learn to operate the following  
equipment: \_\_\_\_\_

\_\_\_\_\_. The agency will pay the employer  
each month during this fixed period \_\_\_\_\_an hour for each hour the participant works. This payment is  
to reimburse the employer for a portion of the \_\_\_\_\_paid per hour to the participant. During the  
training period the participant will work \_\_\_\_\_hours per week. The maximum payment to the  
employer is \_\_\_\_\_per month.

No additional reimbursement will be paid after the completion of the training period.

FULL EMPLOYMENT AGREEMENT

FORM NUMBER - 032-02-309/1

**PURPOSE OF FORM** - This two page form provides the required documentation of the terms of the agreement between the Full Employment employer, the VIEW participant and the agency.

**USE OF FORM** - This form is used to ensure understanding between the agency, the VIEW participant, and the Full Employment site regarding placements.

**NUMBER OF COPIES** - Original and three copies

**DISPOSITION OF COPIES** - Original - On file in agency

1st copy - Retained by employer

2nd copy - Client

3rd copy - Fiscal Officer

**INSTRUCTIONS FOR PREPARING FORM**

After discussion with the Full Employment employer and the VIEW participant, this agreement will be completed so that all parties will have an understanding of their mutual responsibilities.

Information contained in this agreement needs to be discussed thoroughly with the FEP employer. Information regarding this assignment needs to be clearly outlined on the participant's Activity and Service Plan which corresponds with this assignment.

There must be an agreement for each VIEW participant assigned to a FEP employer.

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF SOCIAL SERVICES  
VIEW PROGRAM

**VIEW FULL EMPLOYMENT AGREEMENT -- II**

DURING THIS TRAINING PERIOD, THE AGENCY AGREES TO:

1. Explain all policies and procedures relative to the full employment program to designated employer staff;
2. Offset wage costs by providing a fixed incentive payment to the employer upon receipt of properly certified invoices. (Unless the employer chooses to waive the incentive payment); and
3. Terminate this agreement with written notice, within five (5) working days prior to cancellation, for any reason, including but not limited to, if termination is in the interest of the program, if the employer has failed to provide any of the services specified, or if the employer has failed to comply with any of the provisions contained in this agreement.

DURING THIS TRAINING PERIOD, THE EMPLOYER AGREES TO:

1. Maintain time, attendance and payroll records for the participant as a basis for the incentive payment.
2. Consider and treat the participant in the same manner as regular employees regarding working conditions, hours of work per week, wages and fringe benefits.
3. Pay wages in the same manner and with the same frequency as other employees.
4. Notify the case manager immediately if the participant quits, is terminated, or is having employment related problems.
5. Abide by all requirements of federal laws relating to terms and conditions of employment.
6. Provide workers' compensation coverage for the participant.
7. Not assign the participant to political, electoral, or partisan activities.
8. Terminate this agreement with written notice within five (5) working days prior to cancellation if the participant is not fulfilling the requirements of the job or the agency has failed to comply with any of the provisions contained in this agreement.

I have read, understand, and agree to the provisions of this agreement.

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Employer Name

\_\_\_\_\_  
Employer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Agency Name

\_\_\_\_\_  
Agency Signature

\_\_\_\_\_  
Date

FULL EMPLOYMENT AGREEMENT

FORM NUMBER - 032-02-309A

**PURPOSE OF FORM** - This two page form provides the required documentation of the terms of the agreement between the Full Employment employer, the VIEW participant and the agency.

**USE OF FORM** - This form is used to ensure understanding between the agency, the VIEW participant, and the Full Employment site regarding placements.

**NUMBER OF COPIES** - Original and three copies

**DISPOSITION OF COPIES** - Original - On file in agency

1st copy - Retained by employer

2nd copy - Client

3rd copy - Fiscal Officer

**INSTRUCTIONS FOR PREPARING FORM**

After discussion with the Full Employment employer and the VIEW participant, this agreement will be completed so that all parties will have an understanding of their mutual responsibilities.

Information contained in this agreement needs to be discussed thoroughly with the FEP employer. Information regarding this assignment needs to be clearly outlined on the participant's Activity and Service Plan which corresponds with this assignment.

There must be an agreement for each VIEW participant assigned to a FEP employer.

7/03

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF SOCIAL SERVICES  
VIEW PROGRAM

### VIEW COMMUNITY WORK SITE AGREEMENT

\_\_\_\_\_ Department of Social Services (hereafter referred to as the Agency) and  
\_\_\_\_\_ (hereafter referred to as the Work Site) enter into this agreement in good  
faith to provide work experience and/or training to participants of the Virginia Initiative for Employment not Welfare  
Program (VIEW).

#### THE AGENCY AGREES AS FOLLOWS:

1. To refer appropriate participants to the Work Site for consideration.
2. To provide a detailed explanation of VIEW and the necessary paperwork for reporting requirements.
3. To provide necessary services to enable the participant to participate in VIEW.

#### THE WORK SITE AGREES AS FOLLOWS:

1. To provide work experience and/or training for participants chosen by the Work Site.
2. To not use participants to displace current employees or to fill vacant established positions or perform tasks that would have the effect of reducing regular employee's work hours.
3. To not use participants to perform political, electoral or partisan activities or in response to any strike, lock-out or other bona fide labor dispute.
4. To provide reasonable working conditions which do not violate federal, state or local health or safety standards.
5. To provide competent supervision to participants.
6. To prepare evaluation and time sheets for each participant and submit this information to the Agency by the fifth working day of each month during the designated training period.
7. To furnish necessary materials to allow participants to perform assigned task.

This agreement will be in effect from \_\_\_\_\_ to \_\_\_\_\_  
(not to exceed one year)

\_\_\_\_\_  
Authorized Signature (organization)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Agency Representative

\_\_\_\_\_  
Date

The following charts outline procedures for determining eligibility and amount of payment. They are divided into sections in relations to Manual Sections as follows:

Section I	Categorical Eligibility Requirements (Section 201)
Section IV	The Assistance Unit (Section 302)
Section V	Property (Section 303)
Section VI	Requirement Items (Section 304)
Section VII	Income (Section 305)
Section IX	ESP/VIEW (Section 900)
Section X	Non-Cooperation with With DCSE (Section 201)

In the charts the left hand column lists each eligibility factor, with the Manual reference, and the facts which must be established in relation to each factor. The right hand column lists the acceptable methods of substantiating each fact, in the order of their acceptability, and, as applicable, methods of computation and procedures to be followed. When written statements are not specified, oral statements are acceptable, provided the source is identified and the statement quoted in the record.

Facts to be EstablishedSubstantiation and Procedures

- B. Personal Property  
1. Motor vehicle.

- B. Personal Property  
1. Ownership verified by DMV.
- a. If one vehicle owned, **the vehicle will be disregarded.**
- b. If more than one vehicle is owned, the motor vehicle with the highest equity value will be **disregarded. All other vehicles will be evaluated for equity value. Equity exceeding \$1500 per vehicle** will be counted, regardless of whether it is operable, in relation to the allowable reserve.
- Exception: A motor vehicle up to \$7,500 fair market value owned during VIEW participation is exempt and is not evaluated in relationship to any other vehicles owned by an assistance unit.
- c. Value of car(s) is verified in the following order: (1) by NADA Used Car Guide (average trade-in value), or (2) by tax assessment statement, or, (3) by a licensed dealer's statement when not listed in NADA or disputed by client. If none of these methods are obtainable, the statement of the applicant/recipient will be accepted.
- d. For those cases where motor vehicles are owned jointly by a member of the assistance unit and a non-member of the assistance unit, the agency must establish whether or not the non-TANF individual is willing to sell the property. If it is established that the individual is unwilling to sell the property, then it is not considered as an available resource to the applicant/recipient. The non-member's refusal to cooperate with the agency or the agency's inability to locate the non-member will be considered his/her unwillingness to sell the property. (The case record



Facts to be EstablishedSubstantiation and Procedures

When an insurance policy is first reported or discovered, the agency must contact the company to verify the cash value and determine if it can be cashed in by any member of the assistance unit.

Subsequent to the initial determination, the worker should use the chart accompanying the policy as follows:

- a. Determine the policy's approximate current cash value. Combine the current value of all life insurance with other resources available to the assistance unit.
- b. Determine the anticipated cash value at the next anniversary date. Combine the anticipated cash value of all life insurance with other resources available to the assistance unit.

If combined resources, either current or anticipated, exceed \$900, contact the insurance company's home office to ascertain that exact cash value of the policy/policies in question and the projected cash value at the next scheduled review.

3. Cash and liquid assets.  
Note: Interest received, **exceeding \$10 a month** is treated as income in the month received and as a resource thereafter.

3. Cash and liquid assets.  
Verify by: Documentation in client's possession, book, Credit Union Statement, trust agreements, affidavits, etc. Other: Bank Clearance, Credit Union records, savings and loan records, joint bank accounts.  
Exception: SSI recipient or non-TANF AU household members' pro rata share of a home energy assistance cash payment, based on total persons in household, must not be considered available to TANF unit.

Note: When a savings account established for the purposes of self-sufficiency is first reported or discovered, the agency must verify the balance and obtain a written statement signed and dated by the customer. The balance must be verified at application,

Facts to be EstablishedSubstantiation and ProceduresVI. STANDARD OF ASSISTANCE  
IN TANFA. Standard of Assistance  
(304.1)

Number of persons  
In assistance unit  
In (302.2)

B. Total Allowable Individual  
Need  
(304.2)

1. Amount allowed for  
needs of one individual  
in AU.

II. HOLD HARMLESS PAYMENTS  
**This policy expires 8/31/03.**A. Determine entitlement  
to a Hold Harmless  
payment.B. Verify the amount of  
the following month's  
Hold Harmless payment.VI. STANDARD OF ASSISTANCE IN  
TANFA. Standard of Assistance

Identify locality group from  
Appendix 1 to Section 304.

Use figure for number of persons  
in AU for appropriate locality  
group from Appendix 2 to Section  
304.

For agencies meeting the  
standard of need, use  
appropriate figure from Appendix  
2 to Section 304.

B. Total Allowable Individual  
Need

1. Divide the appropriate  
standard of assistance by  
the number of persons in  
the AU to determine the  
prorata share of each  
person in the unit. This  
prorata share is the total  
allowable individual need.

## II. HOLD HARMLESS PAYMENTS

A. Use the Hold Harmless  
payment report to verify  
entitlement payment.B. Verify the amount of the  
upcoming check by using  
the Hold Harmless payment.  
report.

1. If the amount of the  
following month's  
payment is greater than  
the amount of the  
current month's  
payment, the worker

Facts to be EstablishedSubstantiation and Procedures

must send a Notice to Client of Action advising the recipient of the increase in the unit's Hold Harmless payment amount.

2. If the amount of the following month's payment is less than the current month's payment, the worker must send an Advance Notice of Proposed Action advising the recipient of the decrease in the unit's Hold Harmless payment amount.

Facts to be EstablishedSubstantiation and Procedures

For boarder, count total received, less the standard food allowance for one son at 100% per boarder (Table 1, Appendix 2, Section 305). For roomer boarder, deduct the standard food allowance for one person at 100% per boarder (Table 1, Appendix 2, Section 305), and apply room rental procedure to remainder.

Total amount received, less cost, is income to be counted.

b. Contributions from other agencies or organizations.

b. Verify amount and purpose of contribution through contact with other agency.

Count in amount received except disregard contribution made for a special needs item not included in the Standard of Assistance.

c. All other cash contributions.

c. Verify -  
Papers in client's possession.  
Statement of person contributing.  
Count in amount received, except that occasional or unpredictable contributions are not counted.

d. Home energy assistance (cash payments)

d. Verify amount and purpose of payment through contact with provider business or organization. Count amount received. However, if payment was received by a household that includes individuals other than the **TANF** AU, including SSI recipients, only the **TANF** AU's pro rata share, based on total number of persons in household, is to be counted.

e. **Interest in excess of \$10 a month. (Interest payments less than \$10 a month are disregarded.)**

e. Count as income in the month received or anticipated to be received. Verify amount anticipated/received by documents in customer's possession or through contact with the financial institution where the account or other financial instrument is located.

SUBJECT	SECTION/PAGE(S)
Fraud	See Intentional Program Violation 102.1, p. 1
Fugitive Felons	103.2, p. 1
Full-Time Employment	305.3, p. 18-19
Funding	100.3, p. 1
Good Cause/Non-Cooperation	201.1, p. 1a; 201.10, p. 1-6; Procedures X
Grant Calculations	Appendix 3 to 305; 901.7, p. 7
Grants and Loans to Students	305.4, p. 22 & 24a; Procedures VII, p. 4-5
Guardian	502.7, p. 9
Hearings	104.1-106.6; 401.5, p. 9a-11
Hold Harmless Payments	304.1, p. 1a; 502.1, p. 1; Procedures VI, p. 1-2
Home Defined	201.5, p. 2-3; 303.3, p. 2
Home Visits	401.2, p. 2f
Immunizations	201.1, p. 2-3
Improper Payments	503.1, p. 1
Incapacitated Adult/Child Care Disregard	See Earned Income - Disregards 305.3, p. 18
Income	
Anticipating	305.1, p. 4-6
Babysitting Income	Procedures VII, p. 2-3
Benefits and Services in Lieu of Income	305.4, p. 45
Calculating Monthly Income	305.1, p. 6a-8
Counted in Calculating Payment	305.2, p. 12
Of Excluded Children	305.4, p. 34; 401.2, p. 2
Other Cash Income	Procedures VII, p. 9-10
Prospective Determinations/Screening	305.1, p. 1
Self-Employment	305.3, p. 14; Procedures VII, p. 1a-2
Verification	305.1, p. 8-9; Procedures VII, p. 1a-2, p. 4-5
Income - Excluded Children	305.5

SUBJECT	SECTION/PAGE(S)
Income Tax Refunds	305.4, p. 23
Income Eligibility Verification System (IEVS)	402.1
IEVS Reports	201.8, p. 1b
Income vs. Expenses	401.2, p. 2e
Information to be Given Client	401.6, p. 11-13; Appendix I to 600
Inheritances	See Lump Sum Payments
Inquiry for Information	401.1, p. 1
Intentional Program Violation (IPV)	102.1, p. 1-3; 102.5, p. 3a
IPV Disqualification Penalties	102.3, p. 2
IPV Forms	102.2, p. 2
Interest Income	305.4, p. 24a; Procedures VII, p. 10
<b>Interim Reporting</b>	<b>401.3 H - J</b>
Interviews	
Face-to-Face (Redetermination)	401.3, p. 4
Intake	401.2, p. 1-1a
Job Corps	305.3, p. 15; 305.4, p. 23
Job - Secured Employment	See Changes - Income; 305.1, p. 9-10
Joint Processing Temporary Assistance and Food Stamps (TANF & FS)	See Single Interview; 401.1, p. 1a
Jointly Owned	
Bank Accounts	Procedures V, p. 3a
Real Property	Procedures V, p. 1-1a
Vehicles	Procedures V, p. 2-2a
Job Training Partnership Act of 1982 (JTPA)	305.3, p. 15; 305.4, p. 23
Legal Base	100.1, p. 1
Legally Responsible Persons	302.7, p. 6; 601.3, p. 4-5
Life Insurance	303.3, p. 2; Procedures V, p. 2a-3
Liquidation of Assets	303.7, p. 7-9
See Jointly Owned Real Property	Procedures V, p. 1-1a TANF Transmittal 22

SUBJECT	SECTION/PAGE(S)
Living Arrangements	201.5, p. 1-5
Minor Parent	201.5, p. 3-5
Living in the Home	201.1, p. 1; 201.5, p. 2-3; 701.1, p. 1; Procedures I, p. 4-5
Loans	303.3, p. 2b; 305.4, p. 24b
Localities - Grouping	Appendix I to 304
Lottery Winnings	305.4, p. 25
Lump Sums	305.4, p. 25-32
<b>Match Payments</b>	<b>304.4, p. 2, 502.1, p.1, Procedures VI, p. 1</b>
Maximum Income Chart	Appendix I to 305
Medicaid	401.7, p. 13
Medical Exams	304.3, p. 2
Migrant and Seasonal Farm Workers	305.1, p. 5
Minimum Payment (Non-money payment)	502.1, p. 1
Minor Parent	
Assistance Unit	302.7, p. 5-6
Care and Control	302.7, p. 5-6
Deemed Income	305.4, p. 41-43
Family Cap	201.12, p. 7-9
Living Arrangements/Residency Requirements	201.5, p. 3-5
Protective Payments	201.5, p. 5; 502.7, p. 7d
Motor Vehicles	303.2, p. 1a-2
Acquired While VIEW Participant	901.8, p. 8-8a
Determining the Value	303.3, p. 1d-2
Jointly Owned	Procedures V, p. 2-2a
More than One Owned	303.3, p. 1d-2
Belongs to Someone Else	Procedures V, p. 2a
Used as Residence	303.2, p. 1; 303.3, p. 2
Value Disputed	303.4, p. 3
Value Unavailable in National Automobile Dealers Association (NADA) Price Guide	303.3, p. 1d
Multiple Groups of Children	See Assistance Units 302.1; 302.6, p 2-4c; 401.1, p. 1
Need - Total Allowable	304.2, p. 2
New Application Requirements	401.3, p. 5
New Earnings	305.1, p. 9-9a